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EASTERN

F.O.  
371

1948

PALESTINE

FILE No. .... 4 .....

2777-2992

68535

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202

E

2

1948

PALESTINE

2777  
28 FEB 1948Registry  
Number

TELEGRAM FROM

No.

Dated

Received  
in Registry

E2777/4/31

HK 121

New York

196

27 Feb

28 -

*Publication of Records of Israeli Meetings*  
 20 August 1947 Mr. Gellerau informed that Govt  
 of Israel had no objection to publication of records of  
 private meetings of which representatives of Govt of Israel  
 were members before UNSCOP arrived. He stated that Govt of  
 Israel would not be available for publication of records of  
 meetings of General Assembly.  
 In view of heavy demand by public for the complete  
 document, Govt of Israel has agreed to publish full text of  
 records of meetings of UNSCOP report. (14)

ADDRESSED (SERIALS) 142

Last Paper.

2776

References.

68535

(Print.)

(How disposed of.)

S. Matheson 80  
 Herman 100 off  
 Baker M15  
 M.I. 3a  
 M04  
 Admky  
 AW. Men 105  
 On E2762

(Action  
completed.)

(Index.)

J. C. M. 7/2

J. C. M. 7/2

Next Paper.

2783

(Minutes.)

Jerusalem news agreed

H73. 167  
13

G.P.P. Palestine Ltd N° 509 L. 80.  
 addressed to U.N. Delegation 534 1/3  
 D.B. 18/3

PUBLIC RECORD OFFICE

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FO 371 / 68535

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En Clair

12/77

3

FILES

FROM NEW YORK TO ENCL. FEB 28 1948  
(From United Kingdom Delegation to United Nations)

No. 696

D. 2.23 p.m. 27th February 1948

27th February 1947

R. 7.27 p.m. 27th February 1948

RECEIVED

Addressed to High Commissioner Jerusalem telegram  
No. 140 of 27th February repeated for information to Foreign  
Office for Colonial Office and saving to Washington.  
Following for Gurney from Fletcher Cooke.  
[Begins]

In August 1947 McMillivray informed Bunche that  
Government of Palestine had no (repeat no) objection to  
the publication of records of private meetings at which  
representatives of Government of Palestine gave evidence  
before U.N. S.C.O.P. provided that document in question was  
marked restricted and would only be available to delegations  
to General Assembly.

2. In view of heavy demand by public for the complete  
document, Secretary General has enquired whether Government  
of Palestine would agree to rescind present restriction on  
volume four of U.N. S.C.O.P.'s report to General Assembly  
so as to permit its unlimited sale.

5. Grateful for indication of reply to be sent to  
Secretary General.

Please pass to Jerusalem Immediate as my telegram No.140.

[Copies sent to Colonial Office and to Telegraph  
Section, Colonial Office for repetition to Jerusalem]

ccc

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CB4

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2777 4 21

**INDEXED**

D. 1st March, 1948.  
E. 1st " " 11.40 hrs.

~~IMMEDIATE~~  
No. 509

Addressed to U.K. Delegation No. 534.  
Repeated to Washington No. 157 (Washington  
please pass to U.K. Delegation)  
" to S. or S.

Following For Sletcher Cooks. Begins.

by the Colonial Office as C. of S's telegram No. 772).

U.S.S.C. 9, P.      Record of private meeting of

No (repeat) objection to withdrawal of present restrictions on circulation of Volume 4 of U.S.S.R. report. Encls.

Copy sent to:  
Foreign Office      Communications Dept.

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E

2782

PALESTINE

28 FEB 1948 :

TELEGRAM FROM

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Dated \_\_\_\_\_

Received  
in Registry

Last Paper.

2744

## References.

(Print)

(How disposed of.)

8, Mackensen & O  
Sherman Baboff  
Lester N.Y.  
N.Y.  
N.Y.  
Adams  
A.M.  
March pr

(Action completed.)

(1)  $\text{Im}(\alpha)$ 

Next Paper.

2783

(Minute: )

Para 2 no doubt refers to the question of how many armed Jews there are in Palestine

A. Balfr  
1/3

办3.11

PUBLIC RECORD OFFICE

2

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reference:-

FO 371 / 68535

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2/82

FILES

(From United Kingdom Delegation to United Nations)

Repeated to Jerusalem

SECRET

Following for Gurney from Fletcher-Cooke.

[Begins].

Thank you for your letter of 16th February.

2. As regards your paragraph 2 Egyptian Delegate asked this question at Security Council meeting on 25th February and we propose to take the line, if this matter is pursued, that only the Jewish Agency can give the necessary information.

3. AS regards your paragraph 3 we have brought this point about racial discrimination to the notice of the Commission and Secretary of State personally emphasised the point when he appeared before the Commission on 19th February.

[Repeated to Jerusalem].

PPP

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Group.....Fo  
Class.....371  
Piece.....68535

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Public Records Act, 1958

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205

E

2784

PALESTINE

28 FEB 1948

Registry  
Number

E2784/4/31

TELEGRAM FROM

No.

U.K. and

Dated

New York

Received  
in Registry

708

27 Feb

28

Minute for Committee  
transmitted of 1st-6 20 p.m. 2. in  
shorted by Committee report as being  
correct, also minute for Committee.

Last Paper.

2783

(Minutes.)

S.S.  
13

References.

(Print.)

(How disposed of.)

8, M. M. L. 80  
Herman Boboff  
Jehon Mir  
Mila  
Moy  
Admky  
am  
March 1.

(Action  
completed.)

(Index.)

7/12/48

Next Paper.

2785

30471 F.O.P.

PUBLIC RECORD OFFICE

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TRUSTEESHIP  
28 FEB 1948

(From United Kingdom Delegation to United Nations)

Repeated to Jerusalem  
Washington Saving

IMMEDIATE  
BUILD

Addressed to Foreign Office for Colonial Office  
telegram No. 708 of 27th February repeated for information  
to Jerusalem and Saving to Washington.

My immediately preceding telegram; Statute for  
Jerusalem.

Following is text of Article 20 paragraph 2 as adopted by Trusteeship Council.

[Begins]

"The Legislative Council during the first ten years after the entry into force of this statute or unless it is earlier amended shall consist of 40 members. Eighteen of the members shall be elected by the registered Arab residents of the city, eighteen of the members shall be elected by the registered Jewish residents of the city, one member shall be elected by the registered residents of the city who are neither Jews nor Arabs and three members shall be representatives at large. Of the eighteen members to be elected by the Arab residents of the city part shall ~~be elected by the Arab residents of the city, part shall~~ be elected by the Arab residents of the Moslem faith and part shall be elected by the Arab residents of the Christian faith in such proportion as the Governor shall determine on the basis of the number of residents in the city of the Moslem and Christian elements respectively of the Arab population. The three representatives at large shall be elected by all registered residents of the city from a panel of residents whom the Governor shall nominate"

[Ends]

2. Proviso will be added to the effect that proceedings of Legislative Council shall not be invalidated by reason of a vacancy in its membership.

Foreign Office please pass to Jerusalem as my telegram  
No. 146.

[Copies sent to Colonial Office for information and  
for repetition to Jerusalem]

F F F F

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E

1948

PALESTINE

E 2785

9

28 FEB 1948

Registry  
Number

TELEGRAM FROM

No.

Dated

Received  
in Registry

E2785/4/21

11 KAD-1

New York

712  
27 Feb  
28

Security Council

transmits operative part of Belgian  
communication to United States with resolution

Last Paper.

2784

References.

(Print.)

(How disposed of.)

8, Whitham. 80  
Whitham Bob off  
Lester M15

M1.2a

M04

Adamsky

GWS on E2782  
March 1st

Ld. New York 941

8/20/48 31 March  
On E2623  
(Index)(Action  
completed.)GWS 3/1  
7/2/48

Next Paper.

2786

(Minutes.)

Not a very helpful telegram.  
Draft to p. 7.Balfour  
1/3H. Beeley  
1/3B. B. B.  
1.3

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En Clair

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28 FEB 1948

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No.712

27th February, 1948.

D.12.18 a.m. 28th February, 1948.

R.6.25 a.m. 28th February, 1948.

Repeated to Washington  
Jerusalem

IMMEDIATE

GIANT

Addressed to Foreign Office telegram No.712 of  
February 27th, repeated for information to Washington and  
Jerusalem.

By immediately preceding telegram.

Following is operative passage of Belgian amendment  
to United States draft resolution.

[Begins].

To establish a committee of the Security Council  
comprising the five permanent members of the Council whose  
functions will be:

(a) to inform the Security Council regarding the  
situation with respect to Palestine, and to make recommendations  
to it regarding the guidance and instructions which the  
Council might usefully give to the Palestine Commission at  
a later stage;

(b) To consider whether the situation with respect to  
Palestine constitutes a threat to international peace and  
security and to report its conclusions as a matter of urgency  
to the Council, together with any recommendations for action  
by the Security Council which it considers appropriate;

(c) to consult with the Palestine Commission the  
mandatory power and representatives of the principal  
communities of Palestine concerning the implementation of  
the General Assembly recommendation of 29th November 1947.  
To report thereon to the Security Council together with  
any recommendations as to the action to be taken by the  
Council in the matter.

Appeals to all Governments and peoples particularly in  
and around Palestine to take all possible action to prevent  
or reduce such disorders as are now occurring in Palestine.

[Ends]

Foreign Office please repeat to Jerusalem as my telegram  
No.149.

[Copy sent to telegram Section Colonial Office for  
transmission to Jerusalem].

B B B

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WORLD ORGANISATION.

(To United Kingdom Delegation to United Nations)

Repeated to Washington No. 2416,  
Jerusalem.

Addressed to United Kingdom Delegation  
New York telegram No. 941 of March 1st,  
repeated for information to Washington and  
Jerusalem.

The nature of the Belgian amendment is not entirely clear to me. Except for the addition of one sentence at the end of paragraph (c), the text which you describe as its operative passage is identical with the American text in paragraph 2 of your telegram No. 668.

333

[illegible]

207

1943

E

PALESTINE

E 2786

13

Registry  
Number

TELEGRAM FROM

No.

Dated

Received  
in Registry

E2786/4/31

U.K.N.1

New York

707

27 Feb

1 Mar

*Stale for Translation*  
*seeing that these days, translation board*  
*has exhaustively detailed detail 20 (para 2)*  
*(composition of Legislative Council)*  
*transmit list of details.*

Last Paper.

2785

References.

(Print.)

(How disposed of.)

8, Matheson 80  
 Hennen 80  
 Schen 1415  
 Adcock  
 GM  
 M126  
 M104  
 Mar 1.

(Action  
completed.)

*J. G. H. 11/1*

(Index.)

*2/2/4*

Next Paper.

2787

(Minutes.)

Now see adopted text at E 2784

*ADP*  
*5/3*

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TRUSTEESHIP DISTRIBUTION

(From United Kingdom Delegation to United Nations.

D. 11.40 p.m. 27th February 1948  
R. 5.50 a.m. 28th February 1948.

27th February 1948.

Repeated to Jerusalem  
Washington Saving.

IMMEDIATE.  
CONFIDENTIAL.  
BUILD.

Addressed to Foreign Office (for Colonial Office)  
telegram No. 707 of February 27th repeated for  
information to Jerusalem and Saving to Washington.

Statute for Jerusalem.

During last three days, Trusteeship Council has exhaustively debated Article 20, paragraph 2 (composition of Legislative Council).

2. On 20th February, Dr. Eliash, who claimed to represent not only Jewish Agency but Jewish community of Jerusalem as a whole, was invited to state his views to Council on this Article. He was supported by Shertok. Eliash spoke on lines of Jewish Agency comments in document T/123, and entered plea for return to provisions of plan (i.e. election of Legislative Council on basis of universal suffrage and proportional representation) instead of division into separate electoral colleges as provided in draft statute. He argued that United Nations should at least begin by the experiment in democratic cooperation contemplated in the plan, pointing out that sufficient safeguards exist in form of Governor's right of vetoing legislation, etc, and that this experiment should only be abandoned if experience showed it to be unworkable. He also made point that retention of division into separate electoral colleges would have effect of perpetuating racial division and preventing formation of groups on normal party political lines.

3. Mohn then made statement underlining dangers of such an experiment in present conditions, and spoke strongly in favour of division into electoral colleges on basis of equality between Jews and Arabs. In spite of this, statement by Eliash had obvious strong effect on certain members of Trusteeship Council, notably Ryckmans (Belgium)

/and Forsyth.....

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2.

and Forsyth (Australia). Ryckmans, in fact, questioned right of Trusteeship Council to depart from the provisions of the plan in regard to composition of Legislative Council without having given them at least a chance to work in practice. Forsyth agreed with Ryckmans, although making it clear that he was expressing a personal view only as he had received no instruction from his Government.

4. Gerig, who was prepared to stand by proposed division into separate electoral colleges, confined himself to explaining why Working Committee had accepted this solution, namely their conviction that at present time system of multiple political parties was impossible to realise and that in existing circumstances no other system than division into separate electoral colleges would be workable in practice. Lin (China) supported him.

5. On the following day, Reid (New Zealand) and Burns spoke in favour of division into separate electoral colleges. Garreau then confused the whole issue still more by insisting that if division into separate electoral colleges was to be retained, adequate provision should be made for representation of Christianity. He stressed existence of large Arab-Christian community and made it clear that he would not (repeat not) be prepared to support any scheme of separate electoral colleges which did not ensure proper representation for this community. He repeated his preference for division into separate electoral colleges based not on race but on religion; (i.e. alternative B of paragraph 2 of Article 20 of the draft statute). Garreau's intervention had effect of strengthening opposition to system of separate electoral colleges.

6. At this point Council referred the whole question to a special ad hoc Committee composed of United States, China, France and the United Kingdom, to redraft the Article in the light of the views expressed in debate. It was obvious that the only way to save the principle of separate electoral colleges providing equal representation for Arabs and Jews was to adopt a compromise between racial and religious division, which would in fact mean a sub-division of the members elected by the Arabs into those elected by Christian Arabs and those elected by Moslem Arabs. We accordingly prepared a revised draft on this basis which was substantially accepted by the Drafting Committee this morning as the best compromise text of those submitted. The other drafts

/submitted....

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3.

submitted were quite unacceptable to Burns.

7. Text of the revised Article which was adopted by the Trusteeship Council this afternoon by all members except Philippines and Mexico (both abstained) and Iraq (absent) is contained in our immediately following telegram. After private conversation with Burns, Ryckmans said he supported it in interest of Council unanimity, and because he had no certainty that alternative laid down in plan would function better. Philippines abstained on ground that sub-division of Arab vote would in effect impose on them a political disadvantage which would not be imposed on Jews. It is not clear why Mexico abstained, but generally speaking he has tended to support Garreau's thesis of an equal distribution of seats between the three religions. It was evident that Council as a whole regarded text not as an ideal one, but merely as being best possible compromise in the circumstances. Garreau, in particular, said he regretted an illogical mixture of race and religion as basis for division. This was particularly annoying as we had included it solely to meet his views. His interventions in debate on this question have been far from helpful, since he has not made any useful constructive suggestions.

8. While we would have certainly preferred original text without sub-division of Arab vote, we are quite clear that this concession was necessary in order to avoid returning to provisions of plan which would otherwise have been inevitable. In fact, there will be a somewhat similar sub-division of the Jewish vote since it is understood that proportional representation will operate within Jewish electoral college. It is possible, however, that Arabs may object that article as adopted by the Trusteeship Council will discriminate against them (in this connexion we have not overlooked assurance given to Egyptian Consul-General as contained in Colonial Office telegram to High Commissioner No. 361 of 29th January). If Arabs raise this objection answer would appear to be that

(A) this compromise was clearly necessary in order to avoid returning to the plan, which would manifestly have placed them at a serious disadvantage as compared with Jews, since most Moslem women would presumably not vote whereas Jewish women would.

(B) Ryckmans made point that Arab sub-division may, in fact, operate to protect Moslem Arabs if, as he suspects, Christian Arab women may be more ready to go to the polls than Moslem women, in which case ordinary proportional representation within Arab electoral college would operate to disadvantage of Moslems.

/(C) Present drafts....

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17  
4.

(C) Present draft does not provide that Moslem and Christian Arabs may vote only for Moslem and Christian representatives respectively, but merely that certain proportions of the Members of the Legislative Council to be elected by the Arab residents shall be elected by Christian and Moslem Arabs respectively.

9. It would still theoretically be possible for us to reopen this question on final reading of statute. We would, however, be most reluctant to do so as we fear there is a very grave risk that this would lead to adoption of provision as contained in the plan, to which we see most serious objections. Burns feels very strongly that we have secured the utmost possible in view of general attitude of Council and strongly deprecates any attempt to "improve" position which might result in loss of ground gained.

10. In introducing the revised draft into the Trusteeship Council this afternoon, Gerig unfortunately stated that it had been submitted by the United Kingdom representative. Later, at our request, he made it clear that it was not a draft put forward by the United Kingdom representative as an ideal solution, but merely an attempt by the United Kingdom representative to reconcile the various views put forward in the previous day's discussions, and which the Drafting Committee had felt would meet this requirement better than any of the other drafts which had been submitted to them. Gerig also made it clear that we had included sub-division in Arab vote in accordance with views expressed by Garreau. The latter did not challenge this. It was in fact inserted by Burns after he was satisfied that Garreau would agree to nothing less and that if this provision were not inserted he would vote for return to plan.

Foreign Office please repeat to Jerusalem as my telegram No. 145.

[Copies sent to Telegraph Section Colonial Office for retransmission to Jerusalem].

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1E 2787

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MAR 34 1966

PALESTINE

Registry  
Number

E2787/4/31

TELEGRAM FROM

No.

AKN/

*Dated*

Nov 4/1915

Received  
in Registry

YII

27 Feb

1. 1/10/04

Assembly Council Meetings  
 Town Agency Representative SHERK spoke  
 first at Assembly Council Feb 27 from 6:15  
 Approx. noon. He was followed by 1. Patricia  
 Delgado (CAREER), 2. Columbus Delgado (LORER  
 followed by Lyanna Delgado (TADUS SET)

**Last Paper.**

2786

## References.

(Minutes.)

244

Now see E 2789 (sequel to para 3-4).

J. B. Alford

173.1

(Print.)

(How disposed of.)

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(Index.)

Next Paper.

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FROM NEW YORK TO FOREIGN OFFICE

MAR 1948

No. 711. D. 12.23.a.m. February 28th, 1948.  
February 27th, 1948. R. 6.18.a.m. February 28th, 1948.

IMMEDIATE.

GIANT.

Addressed Foreign Office telegram No. 711 of  
27th February, repeated for information to Washington  
and Jerusalem.

PALESTINE.

Jewish Agency representative Shertok spoke first at Security Council this afternoon making following principal points

(A) General Assembly's plan represented compromise entailing far reaching sacrifice for Jews. Closing of Trans-Jordan had reduced area of national home to a quarter of its original size, and under present plan Jews must now part with nearly half remainder. Separation of Jerusalem was "a particularly painful wrench"

(B) this compromise offered Jews three elements  
statehood, an area for development, and freedom of  
immigration which constituted irreducible minimum they  
could accept

(C) Jews were now confronted with a determined attempt to deny them even this minimum and reduce them to political subjection. Arab Governments are endeavouring to defeat Assembly resolution by force of arms. Mandatory power is "thwarting United Nations plan by a policy of non-co-operation, and openly tolerating the growing obstruction of its implementation".

(D) Arab Governments aim at imposing their own solution which Assembly has rejected by methods of aggression and violence, the very negation of letter and spirit of Charter. Public statements by Arab delegates in the General Assembly and by prominent Arab statesmen since confirm threat of force. Entry of Arab columns into Palestine is first active move.

(E) Egyptian delegates attitude shows refusal to

/understand essence of

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understand essence of Jewish national movement and makes continuation of political discussion futile. Arab Governments must realise that Jewish people in Palestine will never submit to status of a minority on suffrance like oriental Jewish communities.

(F) Jews repudiate Arab allegations that for them Palestine is springboard for imperialistic expansion and that creation of Jewish state would place Christian and Moslem Holy Places there in jeopardy.

(G) General Assembly's recommendation was accepted by mandatory power as a decision: vide speeches by Colonial Secretary and Foreign Secretary on December 11th and 12th last. Since British Government made no stipulations in referring question of Palestine to United Nations, it seemed reasonable to assume that they would accept verdict and as a loyal member co-operate in its execution. Notwithstanding efforts during drafting of plan to meet British Government, their attitude has "developed and hardened into one of non co-operation bordering on obstruction".

(H) Plan is not based on enforcement by mandatory power which has however insisted on sole responsibility for law and order until termination of mandate, and then failed to discharge that responsibility. In justification it has evolved a theory of its own neutrality in conflict between Jews and Arabs building up a "spurious equality of guilt as between attackers and attacked, between those upholding and those defying United Nations authority".

(I) Jews have all along acted in self defence. Arabs launched attack. Isolated acts of bloodshed by dissident Jewish groups came only by way of reaction to Arab violence. Though unreservedly condemned by Jewish community they were seized upon by Palestine authorities in justification of their neutrality.

(J) Questions arise from Mandatory's policy and practice: why are arms distributed to Arab municipal police and withheld from Jewish? Why are units of Arab Legion so stubbornly maintained in Jewish areas after their attacks on Jews? Why does British Government continue to supply arms to Arab States? Even if such arms were not used in Palestine they would release other arms for use there.

(K) Arabs are now virtually in control of certain areas. How can

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areas. How can general public resist impression that preparations are openly tolerated for the proclamation of Arab rule in defiance of United Nations decision?

(L) "There have been clear cases of individual Jews being shot in cold blood by British troops and police and worse excesses are believed to be possible". In this situation "British mandate must be terminated as soon as possible and should certainly not be prolonged beyond fixed date of May 15th."

(M) United Kingdom contention that continued illegal immigration balances Arab incursions as an equally disturbing factor in security situation is untenable.

(N) Jews must be allowed to begin defence preparations notwithstanding opposition by mandatory power to formation of militias. Arms must be provided and this necessitates "revision of indiscriminate embargoes and initiation of an arms policy in harmony with United Nations plan, namely supply of arms to those ready to assume defence responsibilities in implementation of plan, and denial to those resisting it. Security Council might consider issuing a call to all member states to adopt such a policy in regard to sale or supply of arms to Palestine and neighbouring countries including all countries of Arab League".

(O) Purpose of consultation proposed by United States delegate to secure agreement on basis of General Assembly recommendation is not clear. It may lead to delays and complications which may jeopardise implementation of plan and further exacerbate Palestine situation. Innumerable attempts to an agreed settlement have been made by agency and mandatory government in the past. Experience shows that a solution acceptable to both parties is outside practical politics.

(P) Agency attitude is clear beyond any possible doubt "partition plan adopted by Assembly is to us the last and final compromise and the irreducible minimum of acceptability. No reduction of Jewish rights under Assembly's plan either in territory or sovereignty can be accepted by Jewish people".

2. Belgian delegate (Niset) associated his delegation with United States draft resolution but considered that at this stage Council should confine itself to investigation and elucidation of possibilities. To this end he introduced resolution amending United States draft contained in my immediately following

/telegram. /3

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3. Colombian delegate (Lopez) then spoke. Present situation could have been foreseen from first owing to lack of adequate provision for enforcement. Security Council would be found to have no authority under Charter to use force for specific purpose of partitioning Holy Land or to back Haganah in an attempt to overpower Arabs by military force. Plan was legally unenforceable. Duty of Security Council remained to explore possibility of agreement between Jewish Agency and Arab Higher Committee to enable Palestine Commission to carry out its task without use of armed force. If these efforts proved successful, amendments in General Assembly plan calling for special Assembly would most probably be necessary if not special Assembly might be required to make adequate provision for administration of Palestine on termination of mandate. United Kingdom as an influential member of United Nations, was showing considerably less willingness to co-operate in closing stages of her trust than could have been expected. It seemed to be accepted that if force is to be used it must be under Article 106 and not otherwise. Thus responsibility devolves primarily on permanent members of Security Council.

4. Lopez then analysed terms of his draft resolution and concluded that as United States representative had announced emphatic opposition to it best contribution of Colombian delegation would be to withdraw resolution without further argument.

5. Syrian delegate (Faris Bey) spoke last making the following points

(A) Article 106 comes into play only after Council determines threat to the peace.

(B) He agreed with Belgian contention as regards deletion of paragraph 1 of United States resolution.

(C) United States resolution seemed to aim indirectly at implementation of plan. Security Council's task is to keep the peace, that is international peace not internal peace in Palestine.

(D) If Security Council finds a just plan, Arabs will of course play their part and no enforcement will be needed.

/(L) Speech by

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6. Next meeting is fixed for afternoon of Tuesday March 2nd.

[Copies sent to Telegraph Section, Colonial Office for transmission to Jerusalem.]

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E 2788

FILES

MAR 3

En clair

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No. 717

D. 3.00 p.m. February 28th, 1948.

February 28th, 1948.

R. 8.16 p.m. February 28th, 1948.

IMMEDIATE

Addressed to High Commissioner Jerusalem telegram  
No. 150 of February 28th repeated for information to  
Foreign Office (for Colonial Office) and Saving to  
Washington.

Following for Gurney from Fletcher Cooke.

[Begins]

My telegram No. 139.

Palestinian staff.

Commission are pressing for progress report as to  
what announcements have been made to Palestinian staff on  
the basis of my telegrams Nos. 85, 86 and 139.

2. Grateful for final texts and dates of issue of  
any announcements made together with indication of reactions  
by Palestinian staff.

5. I appreciate that response to Commission's appeals  
may not (repeat not) be available for some time, but any  
information relating to the present position would be most  
helpful.

Foreign Office please pass Immediate to Jerusalem as  
my telegram No. 150.

[Copy sent to Colonial Office and to Telegraph  
Section Colonial Office for repetition to  
Jerusalem]

SSSSS

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INWARD TELEGRAM

2788

4

12

B

26

TO THE SECRETARY OF STATE FOR THE COLONIES

Cypher (O.T.P.)

FROM PALESTINE (Gen. Sir A. Cunningham)

D. 2nd March, 1948.

R. 2nd " " 18.50 hrs

INDEXED

No.218 Staff

Addressed to S. of S.  
Reputed to UKDEL New York No.46 (Washingon please pass).

Your telegram No.799, repeating ADDEL telegram No.150 to Jerusalem.

Following for Fletcher Cooke from London.  
Begins.

Text of an announcement already made by savingram together with text of an announcement based on paragraph 2 of your telegram No.799, repeating UKDEL top secret telegram No.49 to Jerusalem, which will be made in next day or two.

2. It is too early for accurate assessment of response to Commission's first report but it may be assumed that no (repeat no) Arab officers will impact serve any (repeat any) successor authority. End.

Copies sent to:-

Foreign Office - Communications Department

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32

Registry  
Number

E 2789/4/21

TELEGRAM FROM

No.

11/12/

*Dated*

the book

*Received  
in Registry*

719

08/16

1. H.C.

Truly yours, J. P. Top  
 P. S. New York 11 Feb 1878 / 4 Feb 1878.  
 And as you would not be swayed  
 by the US and the South Union strongly national  
 and unswerving in the election of a better than  
 tolerably it is their plan. We shall be  
 glad to join in promoting this magnanimous  
 and truly patriotic action it should be  
 successful. (S. C. S.)

Last Paper.

2788

### References.

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M.I.B. a.  
M.O.L.  
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(Action completed.)

(Index.)

Feb 2/3

8/12/48

Next Paper.

2782

20.171 F. ( )

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*Kojanegara-*  
**FO 371 / 68535**

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En Clair

WORLD ORGANIZATION  
E 2789 E 28

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No. 719. D. 3.12 p.m. 28th February, 1948.  
28th February, 1948. R. 8.30 p.m. 28th February, 1948.

Repeated to Washington and Jerusalem.

IMMEDIATE.  
GIANT.

Addressed to Foreign Office telegram No. 719  
of 28th February, repeated for information to  
Washington and Jerusalem.

My telegram No. 711.

Palestine.

Please add to paragraph 4 that Colombian  
representative concluded his remarks as follows.

[Begins] The United States and the Soviet  
Union strongly advocated and encouraged the  
adoption of the partition plan. Substantially  
it is their plan. We shall be glad to join  
in examining their recommendations to the  
Security Council as to how it should be  
implemented. [Ends].

Foreign Office please pass Important to  
Jerusalem as my telegram No. 157.

[Copy sent to Telegraph Section, Colonial Office  
for repetition to Jerusalem].

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**PALESTINE**

Registry }  
Number }

E2792 / 4/81

TELEGRAM FROM

No.

AKW/  
New York

*Dated*

709

Received  
in Registry

27 Feb.

1. 4/10

**Last Paper.**

2789

## References.

(Print.)

(How disposed of.)

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(Action completed.)

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10/11/73

2/2/48

Next Paper!

2793

30.871 F.O.P.

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En clair

E 2792

TRUSTEESHIP

FROM NEW YORK TO FOREIGN OFFICE

348

30

(From United Kingdom Delegation to the United Nations)

No. 709

27th February, 1948

D. 10.55 p.m. 27th February, 1948

R. 4.12 a.m. 28th February, 1948

Repeated to Jerusalem  
Washington (Saving)

Addressed to Foreign Office for Colonial Office  
telegram No. 709 of 27th February repeated for information  
to Jerusalem and Saving to Washington.

Following for Martin, Colonial Office from Galsworthy.

Your telegram No. 898: Statute for Jerusalem.

Apart from Article dealing with composition of  
Legislative Council on which we are telegraphing  
separately, only amendments so far adopted by  
Trusteeship Council are relatively minor ones. Several  
Articles have been referred back to Drafting Committee  
and we expect to have revised drafts of these Articles  
early next week. I will telegraph texts as soon as  
available.

Foreign Office please pass to Jerusalem as my  
telegram No. 147.

[Copies sent to Colonial Office for information  
and for repetition to Jerusalem]

888

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E

E 2793

31

PALESTINE

MAR 28

Registry  
Number

E2793/4/51

TELEGRAM FROM

No.

4421

Dated

New York

Received  
in Registry

7/8

28 Feb

1 Mar

Indian Government of Palestine, Legal Section.  
New York has asked some questions and all of which are  
transmitted to the Indian Government. The legal section  
is advised as to the Indian Government's position on the  
New York letter (E2793/4/51) which are interpreted  
as a request for a reply. The Indian Government's position  
is that the legal section and the other departments of  
the Indian Government are not in a position to answer the  
New York letter. The Indian Government's position is that  
the legal section is not in a position to answer the  
New York letter. The Indian Government's position is that  
the legal section is not in a position to answer the  
New York letter.

Last Paper.

2792

References.

(Print.)

(How disposed of.)

8. Whitham & Co.  
1. Leman & Co.  
Leman & Co.  
Relax  
AM  
M-1.2  
M04

March.  
Rel, New York. 1002  
Mar. 5.

8. Leman & Co.  
On E2793/4/51

(Action  
completed.)

(Index.)

9/3/51  
9/3/51

Next Paper.

2794

(Minutes.)

Para 4-5 require an answer

D. B. L. 1/3

Legal Advisor, for obs. please.

H. B. L. 1/3

I think para 2 contains  
a fair paraphrase of our  
position. Obviously nothing  
can prevent the transfer of  
the transfer of the assets  
to the Commission being  
questioned.

As regards para 5 I think  
some phrase would be  
desirable to the effect that  
the transfer is to the Commission  
as trustee for the ultimate  
sale of the assets in Palestine.

C. L. L. 1/3

I submit a draft based in part on

1/3.

30471 F.O.P.

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Now see also minute by the S/S on a copy of the in telegram.

Ed Sanger, Inc 4

HB Bailey 7/3  
HB Johnson  
L.B.

~~Tel. Gent~~

H73.4  
3

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Cypher/OTP

WORLD ORGANISATION.

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 718. D. 3.38 p.m. 28th February, 1948.  
28th February, 1948. R. 12.35 a.m. 29th February, 1948.

Repeated to Washington and Jerusalem.

IMMEDIATE.

GIANT.

CONFIDENTIAL.

*as different from P.M. 12.35 a.m. 29th Feb. 1948*

Addressed to Foreign Office telegram No. 718 of February 28th, repeated for information to Washington and Jerusalem.

Palestine.

New York press to-day makes some play with alleged conflict of views between United States of America and ourselves on legal position as reflected on the one hand in Austin's remarks referred to in paragraph 2 of my telegram No. 682 which are interpreted as denying right of United Nations to exercise functions of government in Palestine and on the other in passages from memorandum on legal meaning of the "termination of the mandate" (Annex A to P(NY)28) based on your telegram No. 690 and released yesterday to the press, apparently through indiscretion of a member of the Commission or of Secretariat. Particular attention is drawn to statements in paragraphs 4 and 5 of memorandum that "After May 15th, 1948 the United Nations Commission will be the Government of Palestine" and "His Majesty's Government will recognise the United Nations Commission as the authority with which to make an agreement regarding transfer of assets of Government of Palestine".

2. We take it that the position stated in the memorandum may be paraphrased as follows:

His Majesty's Government assume that after May 15th the Palestine Commission will be exercising the functions of Government in Palestine. The Commission's only title to do this will be the Assembly resolution which might or might not constitute an unassailable legal title. In terminating the mandate the Mandatory Power must see to the preservation of the assets of the Government of Palestine and in the absence of any other claimant which establishes a better title the only way in which it can do this is to hand the assets over to the Commission (which will in the circumstances contemplated be the only effective authority in Palestine at that time) for custody and ultimate disposal in accordance with international law.

3. This /

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- 2 -

3. This publicity may result in a renewal of Arab contention that on the termination of the mandate Palestine automatically becomes independent by virtue of Article 22 of the covenant of the League. It would no doubt be further contended that the present Government of Palestine should transfer assets to representatives of the new independent Palestine.

4. We should be grateful if you will confirm that paragraph 2 above contains a suitable line to be taken in response to any comment on the lines of paragraphs 1 and 3 above and if you will suggest any suitable amendments or additions.

5. You may care to consider whether our agreement with the Commission on assets should contain a provision to the effect that the assets will be transferred to the Commission for custody and ultimate disposal in accordance with international law.

Foreign Office please pass Important to Jerusalem  
as my telegram No. 151.

[Copy sent to Telegraph Section, Colonial Office  
for repetition to Jerusalem].

333

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E 2793

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Cypher/OTP

1 MAR 1948  
WORLD ORGANISATION

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 718. D. 3.38 p.m. 28th February, 1948.  
28th February, 1948. R. 12.35 a.m. 29th February, 1948.

Repeated to Washington and Jerusalem.

IMMEDIATE.

GIANT.

CONFIDENTIAL.

Addressed to Foreign Office telegram No. 718 of February 28th, repeated for information to Washington and Jerusalem.

Palestine.

New York press to-day makes some play with alleged conflict of views between United States of America and ourselves on legal position as reflected on the one hand in Austin's remarks referred to in paragraph 2 of my telegram No. 682 which are interpreted as denying right of United Nations to exercise functions of government in Palestine and on the other in passages from memorandum on legal meaning of the "termination of the mandate" (Annex A to P(NY)28) based on your telegram No. 690 and released yesterday to the press, apparently through indiscretion of a member of the Commission or of Secretariat. Particular attention is drawn to statements in paragraphs 4 and 5 of memorandum that "After May 15th, 1948 the United Nations Commission will be the Government of Palestine" and "His Majesty's Government will recognise the United Nations Commission as the authority with which to make an agreement regarding transfer of assets of Government of Palestine".

2. We take it that the position stated in the memorandum may be paraphrased as follows:

His Majesty's Government assume that after May 15th the Palestine Commission will be exercising the functions of Government in Palestine. The Commission's only title to do this will be the Assembly resolution which might or might not constitute an unassailable legal title. In terminating the mandate the Mandatory Power must see to the preservation of the assets of the Government of Palestine and in the absence of any other claimant which establishes a better title the only way in which it can do this is to hand the assets over to the Commission (which will in the circumstances contemplated be the only effective authority in Palestine at that time) for custody and ultimate disposal in accordance with international law.

3. This /

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- 2 -

3. This publicity may result in a renewal of Arab contention that on the termination of the mandate Palestine automatically becomes independent by virtue of Article 22 of the covenant of the League. It would no doubt be further contended that the present Government of Palestine should transfer assets to representatives of the new independent Palestine.

4. We should be grateful if you will confirm that paragraph 2 above contains a suitable line to be taken in response to any comment on the lines of paragraphs 1 and 3 above and if you will suggest any suitable amendments or additions.

5. You may care to consider whether our agreement with the Commission on assets should contain a provision to the effect that the assets will be transferred to the Commission for custody and ultimate disposal in accordance with international law.

Foreign Office please pass Important to Jerusalem as my telegram No. 151.

[Copy sent to Telegraph Section, Colonial Office for repetition to Jerusalem].

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No.

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~~SECRET~~  
Confidential.  
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~~SECRET~~

# CYPHER

35

3rd March 1948.

~~MOST IMMEDIATE~~  
~~CONFIDENTIAL~~  
~~IMMEDIATE~~  
GIANT

Despatched

M.

Draft.

U.K. DELEGATION,  
NEW YORK.

Telegram

No. 1002

(Date) March 5.

Repeat to:—

Washington  
Jerusalem.

Addressed to U.K. Delegation, New York  
Tel. No. 1002 No. March 5. repeated for informa-  
tion to Washington and Jerusalem.

Your telegram No. 718 [Of 28th February:  
Legal meaning of termination of Mandate?]

We agree in general with the paraphrase  
in your paragraph 2, though we should prefer  
the third sentence to read as follows:

"On withdrawal the Mandatory Administration  
will take what steps it can to hand over  
the assets of the Government of Palestine  
and to provide for the meeting of that  
Government's obligations. The Commission  
will in the circumstances contemplated  
be the effective authority in Palestine,  
and therefore the Mandatory Power will  
negotiate with the Commission on the  
matter".

2. Your paragraph 5. We would prefer to delete  
the words following the second mention of the  
Commission, and to end the sentence as follows:  
"as trustee for the ultimate government  
or governments in Palestine".

Copies to:—

NOTHING TO BE WRITTEN IN THIS MARGIN.

(13556) Wt. 43697-140 100m 3147 G.S.S. Cp 020

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(To United Kingdom Delegation to United Nations)

5th March 1948

D. 1.25.p.m.5th March 1948

Repeated to Washington No: 2581  
Jerusalem

CONFIDENTIAL

No: 1002 March 5th repeated for information to Washington and Jerusalem.

Your telegram No: 718 [of 28th February: Legal meaning of termination of Mandate].

We agree in general with the paraphrase in your paragraph 2, though we should prefer the third sentence to read as follows:

"On withdrawal the Mandatory Administration will take what steps it can to hand over the assets of the Government of Palestine and to provide for the meeting of that Government's obligations. The Commission will in the circumstances contemplated be the effective authority in Palestine, and therefore the Mandatory Power will negotiate with the Commission on the matter".

2. Your paragraph 5. We would prefer to delete the words following the second mention of the Commission, and to end the sentence as follows:

"as trustee for the ultimate government or governments in Palestine".

X:X:X:

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E 2794

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PALESTINE

Registry  
Number

E2794/4/31

TELEGRAM FROM

No.

U.K. Del

Dated

New York

Received  
in Registry

723

28 Feb

1 Mar

Last Paper.

2793

References.

(Print.)

(How disposed of.)

S. Matheson. 80  
Pheasant Baloff  
Scherr M15

Admalty

AW

M110

M104 on E2789

Admalty Mar 1st

(Action  
completed.)

S/M 5/3

(Index.)

S/M 2/1/4

Next Paper.

2862

Communication to Secretary General by British  
 Ref. to Lt 876 (E2789/4/31) Pro Gen. [unclear]  
 list of cable addressed to him by [unclear] [unclear]  
 urging Security Council to take all necessary measures  
 to deal with [unclear] and [unclear] [unclear] of  
 International peace and security [unclear] [unclear]  
 [unclear] are urging [unclear] to carry out its obligations  
 to General Assembly and to [unclear] all military  
 assistance [unclear] [unclear] [unclear] have defied [unclear]  
 and [unclear] of U.N.

(Minutes.)

D. Balpin

1/3

U.N. (Political) Dept.

473.1/3

PUBLIC RECORD OFFICE

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Reference:-

FO 371 / 68535

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MAR 348

En Clair

WORLD ORGANISATION.

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 723. D. 6.59 p.m. 28th February, 1948.

28th February,  
1948. R. 12.39 a.m. 29th February, 1948.

Repeated to Washington and Jerusalem. (Saving).

IMPORTANT.

**GIANT.**

Addressed to Foreign Office telegram No. 723 of  
February 28th, repeated for information Saving to  
Washington and Jerusalem.

Your telegram No. 876.

Secretary-General to-day passed me following text of cable addressed to himself and signed by 45 British M.P.s.

[ Begins ]

Undersigned members British House Commons view Palestine issue as test case for United Nations and urge Security Council take all necessary measures to deal with existing and threatened breaches International peace and security in and around Palestine. We on our side are urging British Government to carry out obligations laid upon it by General Assembly and also to terminate all military assistance to Arab States which have defied or threatened to defy decisions and authority of United Nations.

[Ends].

2. Communication will be posted on Secretary-General's list of communications from non-governmental organisations.

Foreign Office please pass Saving to Jerusalem  
as my telegram No. 1.

[Copy sent to Telegraph Section, Colonial Office for retransmission to Jerusalem].

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E 2862

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1948

PALESTINE

2 MAR

Registry  
Number

FROM

No.

Dated

Received  
in Registry

E2862/4/31

U.K.

Not

New York

forward.

2 Mar

Security Council, U.K. Representatives  
 Letter from A. G. JOSELOV A/Sec. General. U.N.  
 to W. R. A. 1201-7-3/SEC of 21 Feb.  
 Acknowledging telegram stating that W. R. A.  
 Jones will represent the U.K. on the Security  
 Council for discussions on the Palestine Question.

(Minutes.)

Last Paper.

2794

References.

(Print.)

(How disposed of.)

71, New York 932  
 Feb. 28

PRISEC  
 Tel. New York 924  
 27 Feb.

(Action  
completed.)

GLH 5/3

(Index.)

2/12/48

Next Paper.

2869

26513 F.O.P.

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68535

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ADRESSE TELEGRAPHIQUE: UNATIONS NEW-YORK



2 MAR 1960

LAKE SUCCESS, NEW YORK • FIELDSTONE 7-1100

#### REFERENCE.

File No. 1201-7-3/JCC

21 February 1948.

Sir,

I am directed by the Secretary-General to acknowledge the receipt of your cable of 18 February 1948 stating that the Right Honourable Arthur Creech-Jones, M.P., His Majesty's Secretary of State for the Colonies, will represent the United Kingdom on the Security Council for the discussion of the Palestine Question.

In accordance with the Provisional Rules of Procedure of the Security Council, a report (document S/680) has been circulated to the representatives on the Security Council concerning the credentials of the new representative of the United Kingdom.

I have the honour to be,

Sir,

Your obedient Servant,

A.A. Sobolev,  
Assistant Secretary-General  
in charge of the Department of Security Council Affairs.

The Right Honourable Ernest Bevin, M.P.,  
The Secretary of State for Foreign Affairs,  
Foreign Office,  
Downing Street,  
London, S.W.1,  
England.

[illegible]

Registry  
No.

☐ Top Secret.  
☒ Secret.  
☐ Confidential.  
☒ Restricted.  
☐ Open.

H. B.

Draft. Telegram.  
U.K. Delegation  
New York.

Telegram.

No. 932

(Date) Feb. 28

Repeat to :—

~~En Clair.~~  
~~Code.~~  
Cypher.

Distribution :—  
World Organisation

Copies to :—

CYPHER<sup>40</sup>  
F.O.  
IMMEDIATE.  
CONFIDENTIAL.  
GIANT.

OUT FILE

February, 1948.

Despatched

M.

~~Address to U.K. Delegation, New York.~~  
~~Telegram on 7~~

You will have seen the telegram sent  
to the Colonial Secretary by Mr. <sup>Rees-</sup>~~Rees~~ Williams.  
I assume that you will lead the U.K. Delegation  
during the remainder of the discussions on  
Palestine, which it seems may continue for  
some time.

*[Handwritten signature]*

*H. B. Bailey 28/2*

NOTHING TO BE WRITTEN IN THIS MARGIN.

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OUTWARD TELEGRAM

Cypher/OTP.

P R I S E C.

FROM FOREIGN OFFICE TO NEW YORK.

(From United Kingdom Delegation to United Nations).

No. 924.

D. 9.35 p.m. 27th February 1948.  
27th February 1948.

IMMEDIATE.

SECRET.

Following for Colonial Secretary from  
Rees-Williams.

Prime Minister, with whom Foreign  
Secretary and I had a long talk about Palestine  
today, has asked me to let you know that he  
considers it essential that you should be back  
not later than Monday, March 8th, so that you may  
have adequate time for Ministerial discussions  
before Second Reading of Palestine Bill, which  
is now fixed for Wednesday, March 10th.

W:W:W:W:W

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Cypher/OTP.

PR I S E C

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 729.

D. 1.20 p.m. 1st March, 1948.

R. 6.35 p.m. 1st March, 1948.

1st March, 1948.

IMMEDIATE

INDEXED

SECRET

Your telegram No. 924.

Following for Rees-Williams from Colonial Secretary.

I will return by air this week-end. Situation here is still obscure and I feel that it will be necessary for me to make a further statement to Security Council at some appropriate stage this week. I am naturally anxious to return as soon as possible but exact day must depend on progress of discussions here. I shall hope to leave on Friday or Saturday.

[Copy sent to Mr. Rees-Williams]

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E 2862 4 / 31

3 MAR 1948

WORLD ORGANISATION DISTRIBUTION

Cypher/OTP.

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 745

2nd March, 1948.

D. 8.30 p.m. 2nd March, 1948.  
R. 2.30 a.m. 3rd March, 1948.

IMPORTANT.

GIANT.

Your telegram 932.

Palestine.

Your assumption is correct.

-----

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215

M 13

E

E 2809,

46

PALESTINE

2 MAR

Registry  
Number

TELEGRAM FROM

No.

Dated

Received  
in Registry

E 2809/24/31  
 U.K.R. /  
 1100 York.  
 728  
 1. Mar  
 2

Reported from [unclear] of V-T FRANCISCO  
 [unclear] from [unclear] of 24 told to [unclear]  
 U.S. [unclear] [unclear] [unclear] [unclear]  
 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]  
 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]  
 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]  
 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]

Last Paper.

2862

References.

(Print.)

(How disposed of.)

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completed.)

(Index)

2/12/48

2/12/48

Next Paper.

2870

30471 F.O.P.

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2 MAR 1964

2 MAR 1964

2 MAR 1964

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2 MAR 1964

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*Reference:-*

**FO 371 / 68335**

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E 2870

[This telegram is of particular secrecy and should be retained by the authorised recipient, and not passed on].

Cypher/OTP

DEPARTMENTAL.

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 731

D. 1.26 p.m. 1st March 1948

R. 6.39 p.m. 1st March 1948

1st March 1948.

MOST IMMEDIATE.

SECRET.

Addressed to Jerusalem telegram No. 154 of March 1st repeated for information to Foreign Office for Colonial Office and Washington Saving.

Following for Gurney from Fletcher Cooke.

[Begins].

My telegram No. 144.

Secretary of State may (repeat may) have to speak at the afternoon session of Security Council tomorrow, March 2nd. In these circumstances, grateful if any information on which rebuttal of Shertek's allegations can be based could reach me not later than twelve noon (New York time) tomorrow March 2nd.

Foreign Office pass to Jerusalem Most Immediate as my telegram No. 154 and to Colonial Office.

[Copies sent to Colonial Office for information and for repetition to Jerusalem].

[Copy sent to Middle East Secretariat].

V V V

MAR 1948

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FO 371 / 68535					
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2 MAR 1948

Registry Number: E2880/4/31

TELEGRAM FROM

No.

*Dated*

*Received  
in Registry*

Last Paper.

(Minutes.)

### References.

(Print.)

(How disposed of.)

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Admiral Lab Off  
Lehner m15  
Admiral  
AM  
m139  
m04  
Admiral 3 out 127

(Action completed.)

(Index.)

Next Paper.

2928

transit board. Belgian standard to US  
 spec. for 1st 1941 (22785/4/1) effect of Belgian  
 standard on the unit proc. (1) of Belgian resolution  
 transmit full list of products.  
 Right circumstances, manner of  
 possible may have occurred.

J. Balfour

Н.В. 3

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Reference:-

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E 2880

2 MAR 1948

WORLD ORGANISATION DISTRIBUTION.

En clair

FROM NEW YORK TO FOREIGN OFFICE

(United Kingdom Delegation to United Nations)

No. 733.

D. 6.22 p.m. 1st March, 1948.

R. 11.35 p.m. 1st March, 1948.

1st March, 1948.

Repeated to Jerusalem,  
Washington - Saving.

IMMEDIATE.

GIANT.

Addressed to Foreign Office telegram No. 733 of 1st  
March, repeated for information to Jerusalem and Saving  
Washington.

Your telegram 941,

Palestine.

Effect of Belgian amendment is to omit paragraph (1)  
of American resolution as you surmise. Full text of  
preamble reads as follows:

[Begins]

"The Security Council having received the resolution  
of the General Assembly of 29th November 1947 on Palestine  
and having received from the United Nations Palestine  
Commission its first monthly report and its first special  
report on the problem of security in Palestine resolves  
to establish a committee of the Security Council comprising  
the five permanent members". [Ends]

2. Text continues as in my telegram 712.

3. I regret any inconvenience omission of preamble  
may have caused.

Please repeat to Jerusalem Immediate as my telegram  
155.

[Copy sent to Colonial Office for repetition to  
Jerusalem]

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218

E

E 2928

52

1948

PALESTINE

3 MAR 1948

Registry  
Number

FROM

No.

Dated

Received  
in Registry

E2928/4/31

U.K. Ad

New York

50

25 Feb

3 Mar

Transfer of Authority.  
 After F.O. 61 690 (E 1818/4/31) Enclosed copy  
 of letter from U.N. Political Commission of 7/6/49  
 enclosing statement setting forth general views  
 of Commission on question of transfer of  
 Authority from British Administration to  
 U.N. Commission.

Last Paper.

2880 (1794)

References.

(Print.)

(How disposed of.)

(Minutes.)

We have already received a copy of UNDEL's answer to  
 this. J.B. 5/3

Copy sent to C.O.  
 under letter E 2982/4/31 H.B. 5/3

(Action  
completed.)

J.P. 6/3

(Index.)

J.P. 6/3

Next Paper.

2930

26513 F.O.P.

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## 53

Cypher/OTP  
E1818/4/31  
Secret

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to United Nations)

No. 690

D. 9.30 p.m. 14th February, 1948.

14th February, 1948.

Repeated to: Jerusalem.  
Washington No. 1877.

~~IMMEDIATE~~  
~~SECRET~~  
~~GIANT~~

Addressed to United Kingdom Delegation, New York,  
telegram No. 690 of 14th February, repeated for information  
to Jerusalem and Washington.  
[Your telegrams Nos. 375 and 378.]

The following are our comments on the legal issues raised by Federspiel.

2. Palestine is-to-day a legal entity, but it is not a sovereign state. Palestine is a territory administered under mandate by His Majesty in respect of the United Kingdom, who is entirely responsible both for its internal administration and for its foreign affairs,

3. After the 15th May Palestine will continue to be a legal entity but it will still not be a sovereign state because it will not be immediately self-governing. The authority responsible for its administration will however have changed.

4. Where the sovereignty of Palestine lies at the present moment is a disputed and perhaps academic legal question on which writers have expressed a number of different conclusions. Where the sovereignty of Palestine will lie after 15th May is perhaps also a question on which different views will be held, but, so far as His Majesty's Government are aware, it is a question which it is unnecessary to answer so far as any practical issues are concerned.

5. After the 15th May, a United Nations Commission will be the Government of Palestine. It does not seem very material whether it is considered to be the de facto or the de jure government. In any case its title to be the government of Palestine will rest on the resolution of the General Assembly.

/6 ...

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- 2 -

6. His Majesty's Government will recognise the United Nations Commission as the authority with which to make an agreement regarding the transfer of the assets of the Government of Palestine.

7. The present employees of the Palestine Administration are the servants of the Crown of the United Kingdom in right of its government of Palestine. Their present contracts of employment are automatically terminated when His Majesty ceases to be responsible for the government of Palestine, because they never agreed to serve any other authority than His Majesty.

8. The Colonial Office are seeking views of the High Commissioner on paragraph 3 (II) of your telegram No. 375. We will telegraph again on their proposals regarding compensation benefits and the budget.

9. Subject to the views set out above on the legal position and the action necessarily following from those views, all proper assistance will be given to the Commission in making arrangements for continuing the employment of all officials in office on the same terms as they enjoy at present and with the same rights, on the understanding that it will be open to the officials concerned voluntarily to accept or refuse any offer made by the Commission.

Z ZZ

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50 (52/199/48)

54 E  
to the U.N.

HIS Majesty **Permanent Delegate** at New York  
presents his compliments to H.M. **F.S. of S. for F.A.**  
and has the honour to transmit to him the **2928**  
documents.

**British Delegation to the**  
**United Nations,**  
**New York.**

**3 MAR 1948**

25th February, 1948.

Reference to previous correspondence:

**UNDEL tel. No. 375 to F.O.**  
**F.O. tel No. 690 to UNDEL**  
*Description of Enclosure.*

Name and Date.

Subject.

Letter to UNDEL from UN  
Palestine Commission  
dated 19 February

Transfer of authority  
from Palestine Admini-  
stration to UN Commission

(Copies also sent to Jerusalem and  
Washington)

Foreign Office,  
London, S.W.1.

3479A [31211] (8)

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55  
COPY.

UNITED NATIONS  
Palestine Commission

19th February 1948

Dear Sir Alexander,

In pursuance of our recent conversation on the question of the position of the United Kingdom Government with relation to the Commission, I am presenting to you the enclosed statement which sets forth the general views of the Commission on the matter.

(Signed) PER FEDERSPIEL  
Member of the Commission

His Excellency  
The Right Honourable Sir Alexander Cadogan, G.C.M.G., K.C.B.,  
United Kingdom Representative to the United Nations,  
Permanent United Kingdom Delegation to the United Nations,  
61st Floor,  
350 Fifth Avenue,  
New York 1, N.Y.

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1. In connection with a number of points of detail referring to the transfer of authority from the Palestine Administration to the United Nations Palestine Commission, it was agreed, that before proceeding to a discussion of the separate items, the position of His Majesty's Government in the United Kingdom with relation to the Palestine Commission should be clarified.

2. It is submitted that His Majesty's Government in the United Kingdom has recognised that Palestine is a concern of the United Nations. By a letter of 2 April 1947, the United Kingdom Government indicated its intention to ask the Assembly to make recommendations concerning the future Government of Palestine.

3. At the twenty-fifth meeting of the Ad Hoc Committee on the Palestinian Question, the United Kingdom Representative, in making clear the extent to which the role assigned to his Government by the Report of Sub-Committee I was compatible with the declared intention of his Government not to participate in the implementation of a plan of partition, stated: "If a scheme of partition were approved and a United Nations Commission set up, the Palestine Government would, when the time came, hand over its authority to that Commission".

4. On the adoption by the General Assembly of the Resolution on the Future Government of Palestine, on 29 November 1947, the United Kingdom Representative declared that he had been instructed "to express the hope that the United Nations Commission will get into communication with His Majesty's Government in the United Kingdom in order that arrangements may be agreed for the arrival of the Commission in Palestine and for co-ordination of its plans with those of the Mandatory Power for the withdrawal of British Administration and British Military Forces". Subsequently, liaison was instituted between the United Kingdom Government and the Palestine Administration on the one side and the Commission on the other.

5. In the Commission's view, the above statements and the procedure established imply that the United Kingdom Government is not contemplating the possibility of any other authority in Palestine than the Commission immediately following the termination of the Mandate. It is to be noted that the Resolution of the General Assembly establishes the Commission as the authority possessing governmental power in Palestine during the period between the termination of the Mandate and independence. It would appear contrary to the meaning of the Mandate if the Mandatory Power terminated the Mandate without previously having made arrangements for a timely transfer of authority.

6. The Commission would appreciate receiving at an early date the United Kingdom Government's views on the subject, and in the meantime, has the honour to request the United Kingdom Government and the Palestine Administration to take no unilateral steps prejudicial to a final settlement of this question, especially with regard to budgetary arrangements for the fiscal year commencing April 1, 1948 and to the granting of benefits to servants of the Palestine Administration, on the termination of the Mandate.

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PALESTINE

24. Feb  
3 Mar

Resolutions on Palestine.  
Drafts texts of two resolutions passed by  
Foreign Affairs group on Palestine. These have  
been forwarded also to the Liaison Committee  
with the request that the subject of Palestine  
be considered at next party meeting March 3.  
Liaison Committee have instructed Miss Johnson  
to ascertain differences reaction before further  
is considered.

### **Last Paper.**

2928

## References.

(Minutes.)

9 <sup>h</sup> P.P.	70 Minute	W <sup>m</sup> M <sup>o</sup> Aplin	25/2
-	-	W <sup>m</sup> Beeley	26/2
-	-	W <sup>m</sup> Kenna	26/2

J. Balfour  
3/3

243. 37

(How disposed of.)

apt R.W. Newnam. 80  
from W. McElrath 27/2

apt. J. L. Humphrey N<sup>o</sup> 10  
from Wm. M. Olin 24/2

apt. C. Johnson  
part Labour Party 24/1  
from W. Bevin.

(Action completed.)

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**Next Paper.**

2934

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PALESTINE.

Resolutions of the Foreign Affairs Group of the  
Parliamentary Labour Party.

The Secretary of State is asked, in the attached letter, for his views on the suggestion that the two resolutions quoted in that letter should be considered at the next party meeting on Wednesday, 3rd March.

Before answering this question, the Secretary of State/ may wish to see the following suggestions as to the arguments which might be used when the two resolutions are discussed.

1. The British Delegation took no part in formulating the proposals of the General Assembly concerning Palestine. It confined itself to informing the Assembly of the intentions of H.M. Government, and made it clear that it was not accepting any share of responsibility for the terms of the resolution.

The Assembly were, nevertheless, assured that H.M. Government would co-operate with the Palestine Commission to the fullest extent consistent with:

- (a) the requirements of the British plan for withdrawal
- (b) the decision that they cannot take any part in implementing the resolution.

Within the limits imposed by these two conditions we have in fact, co-operated with the Commission. We have provided them with a large body of information, and the Palestine Government have done everything in their power to prepare for their arrival in Palestine. It is true that, on the advice of the High Commissioner that the Commission's

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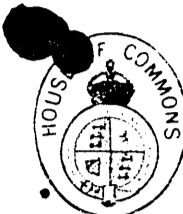
arrival would be the signal for an immediate increase in the scale of violence in Palestine, we have indicated that we should not favour their arrival in the country before the 1st May. At present it is by no means certain that the Commission will wish to go to Palestine at an earlier date. They have stated in their latest report to the Security Council that they cannot discharge the responsibility entrusted to them by the General Assembly unless the Council provides them with the means of enforcement. Their future policy, therefore, depends on the decision to be taken by the Security Council. Meanwhile, we have explained to the Commission that in our view it would be to their advantage as well as to ours if they were to do much of their preparatory work in Palestine through the medium of their own Secretariat. The Palestine Government has offered to receive members of this Secretariat at any time and an advance party is now on its way to Jerusalem.

H.M. Government have Treaties with Egypt, Iraq and Transjordan, each of which provides that the Forces of the other party shall use British arms and equipment. This provision imposes upon His Majesty's Government the obligation of enabling its three allies to secure the supplies necessary for the maintenance of their internal security and the assurance of their defence. This is a solemn obligation, and one which we could not possibly violate on <sup>no</sup> ~~any~~ better ground than a suspicion that the arms supplied may be misused. To commit such a breach of faith would not be a good example to set to the United Nations. We have, however, made it clear that our commitments will be reconsidered if the Arab States, at any future time, are found to be diverting to Palestine the military material they receive from us.

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H. Beebe

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PARLIAMENTARY LABOUR PARTY,  
HOUSE OF COMMONS.

E 2920

3 MAR 1948

24th February, 1948.

60

1. S. of S.  
2. Minister of State

3. U. N. Dept. For draft reply please. You will notice a  
reply is asked for by Friday next, 27 Feb.

P. M. Munn  
25/2

Dear Ernest Bevin,

You may have already learned from the Minister of State that at last night's meeting of the Foreign Affairs Group two Resolutions were passed relating to Palestine:-

1. "That the Foreign Affairs Group is concerned at the refusal of the Government to carry out the recommendations of the General Assembly regarding Palestine, and particularly its refusal to allow the United Nations Palestine Commission to proceed to Palestine until two weeks before the termination of the mandate; the Group is also concerned at the continued flow of arms from this country to Arab States which have publicly declared their intention of resisting the United Nations decision if necessary by force; and requests the Government to set an example of loyalty to the United Nations by reconsidering its policy in these matters."

2. "Having considered the further reply of the Foreign Secretary (6th Feb. 1948) to its letter of 10th December 1947 regarding the creation of a United Nations (Armed) Police Force, the International Organisations Sub-Committee reiterates the view that recent events in Palestine have demonstrated more forcibly than ever the need for such a Force.

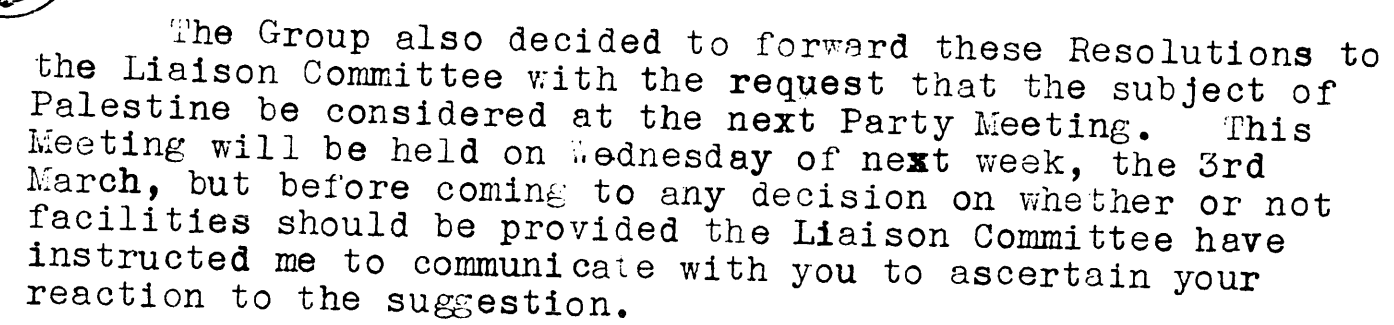
In view, however, of the urgency of the situation the Sub-Committee considers that an integrated Volunteer Force on the lines originally proposed in June 1947 could not now be created in time, and as no arrangements have so far been made under Art. 43 it takes the view that the situation can only be met by the creation of an ad hoc Force, composed of units supplied by member-nations.

We regard this issue as a decisive test for the whole future of UNO, and we therefore urge the Government to accept its responsibilities as a member-nation of UNO and to table or support proposals in the Security Council along the lines suggested above."

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It would be helpful if I could hear from you in reply by Friday next. I am sending a similar letter to the Under-Secretary of State for the Colonies, in the absence of the Colonial Secretary.

Yours sincerely,

Carol Johnson

Secretary.

The Rt.Hon. Ernest Bevin, M.P.  
FOREIGN OFFICE,  
Whitehall, S.W. 1.

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FOREIGN OFFICE,

S.W.1.

27th February, 1948.

Dear Newsam,

The Foreign Secretary wishes to discuss with the Prime Minister and Mr. Rees-Williams this afternoon the resolutions relating to Palestine which were recently passed by the Foreign Affairs group of the Parliamentary Labour Party. I enclose a draft reply in which the Foreign Secretary would like Mr. Rees-Williams' concurrence.

Yours sincerely,

(Sgd.) R. A. S. (Sgd.)

Newsam Esq.,  
Colonial Office.

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R.W. Newsam Esq.,  
Colonial Office.

Encl  
62

63

My dear Laurie,

Yours ever,

J.L. Pumphrey Esq.,  
10 Downing Street.

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February informing me of the 2 resolutions relating to Palestine passed by the Foreign Affairs Group of the Parliamentary Labour Party on February 23rd and requesting that Palestine should be considered at the next Party meeting on March 3rd.

I now learn that there is no longer any question of Palestine coming up at the Party meeting on the 3rd March and I assume that the question of my attending the Party meeting for a discussion of Palestine does not arise for the present.

Yours sincerely,

C. Johnson Esq.,  
Parliamentary Labour Party,  
House of Commons.

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# E

E 2931

65

1948

PALESTINE

3 MAR 1981

Registry  
Number

E 29.1/4/1

TELEGRAM FROM

No.

11/11/11

*Dated*

11/10/1961

Received  
in Registry

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1 M.

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[illegible]

Last Paper.

(Minutes)

2930

NB.  
3/3

## References.

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A.M.  
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(Action completed.)

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9/11/11

1/12/48

Next Paper.

2937

30471 R.O.P.

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[This telegram is of particular secrecy and should be retained by the authorised recipient and not passed on].

E 2931

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Cypher/OTP

DEPARTMENTAL

3 MAR 1948

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No.737  
2nd March, 1948.

D: 12.46 p.m. 2nd March, 1948

R: 6.00 p.m. 2nd March, 1948.

IMMEDIATE.  
Secret.

Addressed to High Commissioner Jerusalem telegram  
No.157 of 2nd March, 1948. Repeated for information to  
Foreign Office for Colonial Office and Washington Saving.

Following for Gurney from Fletcher Cooke.

Your telegram No.223 (repeated Colonial Office No.210).

Security force for Jerusalem.

In paragraph 3 it is stated that recurrent cost of a force of one thousand non-Palestinians would be over forty thousand pounds per mensem, excluding accommodation, arms and ammunition and capital cost of transport. On the assumption that accommodation, arms, ammunition and transport will be available from the assets of the Palestine Police Force for immediate use by the new force if and when it is formed, grateful for estimate of annual cost of maintaining this capital equipment. This information is required in connexion with consideration of budget of the new City of Jerusalem.

Foreign Office please pass immediate to Jerusalem as my telegram No.157.

[Copies sent to Colonial Office for retransmission to Jerusalem and for information].

[Copy sent to Middle East Secretariat].

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E 2937

3 MAR 1948

Registry Number E2937/4/31

## TELEGRAM FROM

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Dated

Received in Registry

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24th

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Last Paper.

2911

References.

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8. Thatcher & Co.  
Herman Robt.  
Scherr M.I.R.  
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Adams  
Out on 11/15  
Mar 11

(Action completed.)

9/3

Next Paper.

2928

(Minutes.)

D. Salfer  
3/5

Another remarkable speech by Senator Austin. It amounts to saying either that there is no point in para. 1 of the U.S. resolution, or that the preamble to the Assembly's resolution of the 29th November (also an American draft) is nonsense, or perhaps both.

So far as I understand its general drift, the speech seems to emphasise, rather more definitely than the Senator's first statement, the limitations of the Security Council's power under the Charter.

Mr. Gromyko's intention is still more obscure. He is perhaps preparing the ground for an appeal to Article 106.

U.N. Political Dept.  
Mr. G. (away)  
Legal Adviser

30471 F.O.P.

I think that Mr Austin  
is

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is in effect saying "For (internal U.S.) political reasons we ~~still~~ cannot go back on our view that partition is the right course. But we have come to realize that it will produce a God-awful mess in solving which we should have to take a major part. Therefore, it is now convenient to us to argue legally that that part of the Assembly resolution which in effect told the <sup>Security</sup> Council to enforce partition was wrong because it conflicted with the Council's powers under the Charter. Forget about it. But that means that the only way out is for the Council to hear everyone even remotely concerned on the unpleasant situation which has now developed in Palestine as the result of the decision to partition, to decide that its generally accepted powers under the Charter compel it to try to restore order, and to decide that it can only do so on some basis other than partition. We shall then be free, before our public opinion, of the stigma attaching to a volte face."

And Gromyko, I think, is simply saying "Let us consult by all means. But I am not going to commit myself to helping you by saying that partition has proved impossible. It is you that must put yourselves in wrong with the Jews by admitting that. I am going to keep myself quite free to embarrass you, if I wish, by saying that I still think partition is right, and perhaps by offering to carry it out, or at least to block any other solution. So I am not going to let you indulge in this face-saving farce of consultation with <sup>the parties and</sup> other bodies - whose views are perfectly known - in order to get yourselves out of the mess."

I doubt if it amounts to much more than that.

F. Fraser

43

7/13/43

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FROM NEW YORK TO FOREIGN OFFICE

No. 747

March 2nd, 1948.

R. 5.30 a.m. March 3rd, 1948.

Repeated to Washington and Jerusalem.

E 2937

IMMEDIATE

GIANT

3 MAR 1948

Addressed Foreign Office telegram No. 747 of March 2nd  
repeated for information to Washington and Jerusalem.

Palestine.

Following is summary of proceedings in Security Council  
this afternoon under chairmanship of Tsiang (China).

2. Faris Bey (Syria) opened with an attack on customary lines on constitutionality of assembly resolution.

3. Austin followed. United States could not support Belgian amendment rejecting first paragraph of United States' draft resolution. United States still supported "General Assembly plan for partition as framework of implementation by pacific means".

4. He then analysed United States resolution in detail. Paragraph 1 containing qualifying clause "subject to authority of Security Council under Charter" expressed "a Charter principle implied in every part of General Assembly resolution". Request (a) of General Assembly plan "is accepted subject to limitation that armed force cannot be used for implementation of plan because Charter limits use of United Nations force expressly to threats and breaches and aggression affecting international peace. Therefore we must interpret General Assembly resolution as meaning that United Nations measures to implement this resolution are peaceful measures".

5. In regard to request (b) of General Assembly resolution he pointed out that paragraph 1 of United States draft resolution with qualifying clause quoted in paragraph 4 above "does not authorize use of enforcement under Articles 39 and 41 of Charter to empower the United Nations Commission to exercise in Palestine functions which are assigned to it by resolution because Charter does not authorize either General Assembly or Security Council to do any such thing". On the other hand paragraph 1 of United States draft resolution accepted request (b) subject to quoted reservation. "Thus duty which is accepted if we pass paragraph 1 of this resolution is to consider under request (b) whether situation in Palestine constitutes threat to the peace. Acceptance of it requires consideration of whether such a threat exists. If Security Council finds that there is threat to international

/peace it may

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From New York Delegation tel. No. 747  
to F.O.

-2-

peace it may of course empower United Nations Palestine Commission to assist Council in maintaining peace. If Council should find that threat to international peace or breach of the peace exists it is empowered to make recommendations or to take provisional measures under Article 40 or to impose economic or other non-military sanctions under Article 41 or to take military measures under Article 42. Council would be required to follow one or more of these lines of action. It might pursue in any sequence deemed proper. This is an obligation that sits without General Assembly resolution because Charter requires it".

6. Paragraph 1 of United States draft resolution interprets request (c) as follows. "Under Article 39 Security Council is under a mandate to determine existence of any threat to the peace breach of the peace or act of aggression. It may regard attempts to alter by force settlement envisaged by this resolution as constituting such threat. Obligation must be carried out by process of determination and not solely at request of General Assembly".

7. "Special report of Palestine Commission dated February 16th 1948 reports facts which if accepted or substantiated by Security Council would appear to lead to conclusion that a threat to international peace is present in that situation. Acceptance of request (c) through the adoption of paragraph 1 of United States draft resolution is an undertaking by Security Council to look into matter immediately to determine whether such a threat exists. Our subsequent paragraph 2 provides a way of investigation".

8. In regard to request (c) Austin quoted Herschel Johnson's remarks on revised version of Danish amendment to draft resolution proposed by sub committee 1 (Document A/AC.14/43 REV 1) of November 25th 1947 in which Johnson excluded hypothesis that if an attempt to alter by force the settlement envisaged by resolution should occur Security Council must determine that it constitutes a threat to the peace. Reservation quoted in paragraph 1 of United States draft resolution rested upon principle upon which United Nations stood as stated by Johnson. "As we see it interpreted in this manner acceptance of request (c) requires determination of question of fact of threat to international peace and if such threat is found action under Chapter VII. Taken altogether paragraph 1 of United States resolution means that Security Council will do everything it can under Charter to give effect to recommendation of General Assembly".

9. Secretary of State for the Colonies then made speech text of which is contained in my immediately following telegram.

10. Gromyko spoke last. He agreed in principle to consultation on Palestine question especially the

/Committee's special

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-3-

11. Proposed consultation with Commission and with Jews and Arabs was pointless. Commission's findings and conclusions had been reported to Council and chairman was present to answer any questions. Thus United States proposal only complicated the issue at the very time when every effort should be made to simplify process of consultation. He had no objection to paragraph 1 of United States resolution but section of resolution relating to consultation should be deleted.

Please pass to Jerusalem Immediate as my telegram  
No. 159.

**SSSSS**

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E 2938

71

PALESTINE

3 MAR 1948

Registry  
Number

E2938/4/31

TELEGRAM FROM

No.

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Dated

11/1/48

Received

in Registry

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2/11/48

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Last Paper.

2937

References.

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completed.)

11/1/48

(Ink.)

11/1/48

Next Paper.

2951

(Minutes.)

D. Balpin  
3/3

See marked passages on pp 3 and 5,  
 in which the Colonial Secretary insists on the  
 indispensability of <sup>Arab-Jewish</sup> cooperation as the foundation for  
 any durable settlement, and expresses approval for  
 the principle of mediation.

H. Beeley  
3/3

JAB

11/3

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(From United Kingdom Delegation to the United Nations)

D: 10.21 p.m. 2nd March, 1948.

R: 6.00 a.m. 3rd March, 1948.

Repeated to: Jerusalem,  
Washington.

GIANT

Addressed to Foreign Office telegram No. 746 of 2nd March  
repeated for information to Jerusalem and Washington.

My immediately preceding telegram.

Following is text of Colonial Secretary's speech in Security Council this afternoon.

[ Begins ]

In less than eleven weeks from now the United Kingdom Government will cease to be the responsible mandatory authority in Palestine, and only a limited area of that country will still be occupied by British troops. The conflict between extreme elements in both the Jewish and Arab communities has grown more savage and destructive, while public order has degenerated and the toll of British, Jewish and Arab lives continues to mount.

The two reports of the Palestine Commission have described the formidable tasks confronting it, and their views have been emphasised in the debate in this Council. Their firm conclusion is that implementation of the Assembly's recommendation depends on the creation of a non-Palestinian security force to protect the Commission and to enable it to carry through the partition plan.

The distinguished representative of the United States has proposed that the Security Council should proclaim its acceptance of the plan recommended by the Assembly, but that the Council should recognize that, while able to give advice and guidance to the Palestine Commission, it cannot impose the partition plan by force. At the same time, he declares, it is the Council's duty to consider the situation in Palestine in order to determine whether a threat to the peace exists, and to take appropriate action. The Belgian amendment on the other hand seeks to eliminate mention of acceptance of the plan at this stage, but follows the United States resolution in its proposal that a committee composed

/of the permanent



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New York telegram No. 748 to Foreign Office.

- 2 -

of the permanent members of the Council should consult and report.

For reasons which have often been stated, I do not propose to express on behalf of the United Kingdom any opinion on the adequacy of these proposals. Nevertheless I feel bound once more to emphasise the increasing gravity of the situation in Palestine. I must point out that, whatever procedure the United Nations may decide to adopt with a view to assuming responsibility for the Government of Palestine on May 15th, that country is likely to become disorganised, disintegrated and even more violently disrupted by that date. In addition the peace and security of Jerusalem after May 15th is exciting the anxious interest of people throughout the world. We have been reminded in forceful terms of the urgency of the matter by the Chairman of the Palestine Commission. Another aspect of which I feel it my duty to warn the Council is that the danger to security in Jerusalem proceeds in no small part from the ever present rivalry of turbulent Christian sects and that owing to the incidence of religious festivals this danger will reach its peak during the months of April and May. The intractable problems facing the Palestine Commission are becoming rapidly insoluble as delay is further protracted and hope recedes that the Commission will be adequately equipped to take up the immense responsibilities imposed upon it. Short of implementation—an international responsibility—the United Kingdom Government has tried to meet the realities of the situation: it has done its utmost to furnish the Commission with the information it needs, and to discuss with it the numerous problems of security, communications, administration, maintenance of services, transfer of assets and financial liabilities, and similar problems on which immediate decisions are necessary. In Palestine itself the Government has devolved many responsibilities upon local Arab and Jewish authorities, and has established local police forces so that there may be some hope of maintaining essential services and preserving good order with a view to effecting transfer of authority to the United Nations without a complete collapse of organised Government throughout the country.

It is necessary for me to repeat this because of the statements spread about accusing my Government of making the transfer as difficult as possible and of denying assistance to the United Nations. It has even been suggested that we have preferred to undo all our work of the past twentyfive years in order to reduce the administration to chaos and see disorder reign in Palestine. On the contrary, we have taken all the practical steps in our power to prevent disorder overtaking Palestine and the authority of the United Nations being made abortive when British administration ends on May 15th. Our fervent hope is that this Council will now find a way to secure effective assumption of authority in Palestine by the United Nations when the mandate is terminated.

/The distinguished

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New York telegram No. 748 to Foreign Office

- 3 -

The distinguished Chairman of the Palestine Commission, in his speech to the Council, has drawn attention to certain aspects of the problem which this Council will not wish to ignore. Even under the most favourable conditions the Assembly's resolution of November 29th is no adequate or satisfactory Charter for enabling the Palestine Commission to carry out its task. Whatever may be the merits or demerits of the Assembly's recommendations, their workability essentially depends upon some measure of co-operation between Jews and Arabs. This co-operation, on which the maintenance of the essential services and normal life of the country depends, cannot be secured by coercion. Any forces sent into Palestine from outside to impose any plan not acceptable to one or other community would have to be kept there for a long and indefinite period. It is not for me to comment on certain obvious defects in the partition plan, some of which arose from it being conceived in conditions of strong partiality. In the steady deterioration of the situation in Palestine, as the Chairman of the Palestine Commission has pointed out, some of its impractical features have become increasingly apparent. The scheme makes far too little allowance either for Arab reactions or for the immense difficulties which the terms of the Assembly's resolution themselves impose on the mandatory power in transferring authority under such disturbed conditions. Nevertheless, my Government has accepted the plan, has declined to pass judgment on it, and for reasons which have been repeatedly emphasised has advocated no alternative solution of its own, trusting that the collective wisdom and fair mindedness of the United Nations would find a greater measure of success than that which attended our own efforts in the past.

The statement made by the representative of the Jewish Agency on 27th February is scarcely relevant to discussion of the problem before us. Its principal features were suppressions, distortions and half truths, and a desperate effort to divert our attention from the Agency's political ineptitude and moral weakness which have discredited the former bright hopes of a great cause. The Agency's spokesman knows the immense difficulties of the Palestine Government in endeavouring to maintain order during the process of winding up its administration in a community one section of which has consistently shirked the elementary responsibilities of citizenship. The administration is working against a background of violence and terrorism, outrages and reprisals, hatred and frenzied passion. Both Arabs and Jews are anxious about their future security; and the British forces have to be deployed to prevent civil war at the very moment when they are trying to effect an orderly withdrawal.

I do not propose to employ the time of the Council by a detailed reply to the charges made against the mandatory power by the representative of the Jewish Agency. I would refer members of the Council to the statement issued by the Government of Palestine yesterday in which the equivocal and

/pusillanimous policy

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New York telegram No. 748 to Foreign Office

- 4 -

pusillanimous policy of the Jewish Agency is exposed.

There are, however, one or two mis-statements in the speech of the Jewish Agency representative which I feel I must correct. In his endeavour to represent the current activities of Jewish organisations in Palestine as "self defence", the Jewish Agency representative contended that it was only after Arab provocation and failure by the security forces to enforce law and order impartially that - I quote - "isolated acts of indiscriminate bloodshed on the part of dissident Jewish groups occurred".

Members of the Council will hardly need to be reminded that these outrages of the Jewish terrorist organisations so politely now described as "dissident groups" have been going on for years. The Jewish community has made negligible efforts to prevent these outrages or to root out the organisations responsible for them. I will not horrify the Council with a list of the atrocities committed by Jewish terrorists in recent years against defenceless men and women and against the British civil and military personnel. The events of the last week have starkly revealed the irresponsible wickedness of these organisations. What action has the Jewish Agency, so strong before this Council in the role of supporter of impartial justice, taken to check these ruthless murders which have so greatly harmed the Jewish cause the world over? The Agency has, I fear, consistently subordinated moral considerations to political expediency. They have certainly made expressions of disapproval and regret, but they have supported them by little positive action. In attempting to explain and justify terrorist activities as the natural response to Arab violence and British partiality, they descend to the last ignominy of condoning them.

But as I have said, the great part of the Agency's contribution to the Council's debate is irrelevant. The question at issue is not British partiality, Arab intransigence or Jewish terrorism; it is the problem which the Chairman of the Palestine Commission has put before us - of the practical steps which are to be taken to meet the situation which has developed in Palestine.

In particular, my Government recognises that it is important that the Security Council should carefully examine whether a threat to the peace exists. In our judgment this is not a task only for the permanent powers on the Security Council; others should share it.

We endorse the appeal in the last paragraphs of the United States and Belgian resolutions that all the powers and peoples involved in Palestine should lend their influence to prevent further violence.

With the operative clause of the resolutions before us, however, we have some difficulty. The United States ask us to endorse the scheme adopted by the General Assembly. For the reasons which we have so often explained to the United Nations, we cannot do this. Further, both the United States and Belgium

/ask us to assist

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For this reason, my Government cannot agree to take part in the proposed Committee which the two resolutions propose to set up. But, although my Government cannot, therefore, vote for either resolution, it will assist any committee which may be appointed with all the information and experience at its disposal. Furthermore, we shall welcome any effort to find a bridge, even at this late hour, across the gulf which now separates the two communities in Palestine. Finally, I must repeat that the United Kingdom cannot enter into any new or extended commitment in regard to Palestine. Our contribution has already been made over the years and the date of termination of our responsibility is irrevocably fixed.

[Ends]

[Copy sent to Telegraph Section, Colonial Office for  
repetition to Jerusalem].

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E 2978

4 MAR 1948

1948

PALESTINE

Registry  
Number

E2978/4/31

FROM

W O L. Macdonald

No.

6.0

Dated

6.11.48

Received  
in Registry

1.11.48

42

Palestine Situation, U.N. discussions.

draft copy of letter from Croftford Smith to  
Sir Thomas Lloyd dated 26 Feb.dealing with the situation in New York.  
is U.N. discussions on Palestine.

Last Paper.

2951

(Minutes.)

D. Balgair  
4/3

273.5/3

References.

(Print.)

(How disposed of.)

(Action  
completed.)

J. E. H. 4/3

(Index.)

2/10/48

Next Paper.

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E 2978

1948

PALESTINE

4 MAR 1948

Registry  
Number

E2978/4/31

FROM

W H F Markham

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Dated

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in Registry

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Last Paper.

2951

References.

(Print.)

(How disposed of.)

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J E M 4/3

(Index.)

J E M 2/12/44

Next Paper.

2983

Political Situation, U.N. discussions.

transmit copy of letter from Crofted Smith to  
see Thomas Lloyd dated 26 Feb.develop work the situation in New York  
w. U.N. discussions on Political.

(Minutes.)

D. Balfour  
4/3

1073 5/3

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76 <sup>entire</sup>  
Colonial Office,  
E. 2978  
Bernard 8186  
4 MAR 348

My dear Beyley,  
 read this interesting  
 letter before it is  
 entered. Harold

You may like to  
 have a copy of the  
 enclosed from Hafford  
 to Lloyd on the situation  
 in New York.

Yours ever,  
 C. H. Harrison

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79

26th February, 1948.

You will, of course, be au fait with current developments here from telegrams and so on. The Secretary of State is in extremely good form, and, to my mind at least, put over his speech before the Security Council extremely well. The whole business is, however, agonisingly slow. We wasted all yesterday afternoon listening to the Egyptian reiterating the old legal arguments about the invalidity of the Commission's appointment, etc., and then were blandly informed that, as the Council has to consider Indonesia and atomic energy, we shall not meet again to deal with Palestine until Friday afternoon. No doubt Gromyko will then come out strongly in support of the prestige of U.N.O., castigating the United States for their pusillanimity and the United Kingdom for their lack of cooperation, and propose the immediate despatch of an international force, including a large Russian contingent. It will be interesting to see how Austin sidesteps that one.

The/

Sir Thomas Lloyd, K.C.M.G.,  
Colonial Office,  
Church House,  
Great Smith Street,  
London, S.W.1.

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80

- 2 -

The only ray of hope at the moment is that the United States proposal to consult with everybody may gradually develop into a genuine conciliation effort in which the United States will put the necessary pressure to induce a more realistic frame of mind on the Jewish side. This will, of course, involve departure from the present basis of the General Assembly's plan. It is presumably already obvious to all concerned that no amount of conciliation on that basis will produce results.

But even if the Security Council is given what is virtually a mandate to bang the heads of all the parties concerned together until agreement is reached, I doubt whether there is much real hope of success. To me, the Zionists seem already to have reached a fair speed down the Cadarene slope and it is not in their temperament to put the brakes on while there is yet time. I believe Mrs. Meyerson and others equally well qualified to speak are saying that, whatever happens, the Jews will fight for their State. If they fight with no backing, or with limited backing of dollars and arms shipments from here, I cannot see that the long-term result can be anything but disastrous to them, even if they do manage to hold out in a limited area or for quite a while. If they were able to look at the situation realistically (and, in their present mood, they are not), they would, I think, see that their true hope of salvation lies in accepting for the present whatever compromise the Arabs are willing to concede (e.g. minority status with a certain amount of immigration in a unitary Arab State under United Nations safeguards) and so attempt to consolidate their position a little before considering any further forward moves. This is, I believe, what Weizmann advocated years ago, but under British tutelage. There is, however, little or no hope of their taking so sensible a course. If they did, the movement would split from top to bottom and the terrorists would start blowing up the people who advocated moderation.

So/

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Meanwhile, the Commission so far as we are concerned seems to have virtually suspended operations. Bunche is openly saying what is in everybody's mind, <sup>that</sup> they will never really go to Palestine. Lisicky is very deeply concerned, especially about Jerusalem. It was tragic to hear his cri du coeur at the first meeting of the Security Council (based presumably upon a cross between Kipling and By the Waters of Babylon) "Lest we forget Jerusalem, lest we forget Jerusalem". Francisco, the Philippine, has resigned, ostensibly for Philippine political reasons. He was never much good anyway. Federspiel is still concerning himself with unrealities, such as the legal issue, whether the State of Palestine continues, and his private war with Fletcher-Cooke on the staff question. Morgan, the Panamanian, after some friendly exchanges with us on the removal of the Jews from Cyprus, has shown no further signs of activity. The Vice-Chairman, Medina, though most affable on all occasions, has never yet mentioned the subject of Palestine to anyone on our side. *(This is quite true! He did not in some questions about radio transmitters etc. which we have now answered).*

\* Nakbleh

Burns/

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- 4 -

I am sorry that this has developed into a general discursus, which I did not in the least intend in beginning to dictate. I hope you are all well, and that M.E.D. is standing its many current stresses without too much difficulty. Mathieson has been most helpful in sending me briefs and general background.

(Trafford Smith)

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225

E

E 2983

83

PALESTINE

4 MAR 1948

Registry Number E2983/4/31

TELEGRAM FROM

No.

Dated

Received in Registry

R

UK Del

New York

752

3 Mar

4 Mar

Essential food imports reduction

After total 954 (E2640/4/21) Commission have been asked for an early revision of their report. on proposals made at meeting of 1st November. has informed Helmut Repp, that Commission was sending in a report which the existing proposals which would feedstuff as imported through food trading account can be obtained in respect of export of foodstuffs between goods and limitation of available for delivery after May 15.

Last Paper.

2978

References.

(Print.)

(How disposed of.)

8. Matheson - 8.0  
 Lohman Laboff  
 Scher - 11.11  
 Adamsky  
 AM  
 11.11  
 11.04  
 Mar 4

(Action completed.)

10/3

(Ink.)

10/3

Next Paper.

2984

(Minutes.)

E.R. Dept.

I suppose there may  
 be another meeting to  
 discuss the new proposals.  
 I fear we shall have to agree.

K. P. Lham

9/3

JB Mar. 10

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68535

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E 2983

4 MAR '948

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CYPHER/OTP

DEPARTMENTAL

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No. 752.

D: 12.31 p.m. 3rd March, 1948.

3rd March, 1948.

R: 6.24 p.m. 3rd March, 1948.

Repeated to: Jerusalem,  
Washington Saving.

IMMEDIATE

SECRET

Addressed to Foreign Office telegram No. 752 of March 3rd repeated for information to Jerusalem and Saving to Washington.

Your telegram No. 954.

Essential food imports Palestine.

Commission have been asked for an early expression of their views on proposals made in your telegram but Reedman has informed Fletcher-Cooke that Commission are sending in a request asking whether the existing procedure whereby essential foodstuffs are imported through Government trading account can be continued in respect of orders to be placed between now and termination of mandate for delivery after the 15th May.

2. A further communication will be sent as soon as possible. Please pass to Colonial Office and immediate to Jerusalem as my telegram No. 162.

[Copies sent to Colonial Office and to Telegraph Section Colonial Office for repetition to Jerusalem].

@@@

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E

E 2984 85

1948

PALESTINE

4 MAR '948

Registry  
Number

E 2984/4/31

TELEGRAM FROM

No.

Dated

Received

in Registry

New York  
 753  
 3. Mar  
 4 ~

Potential Citrus Pecking Moleculs  
 R/A. Friedman til 4/44

Have not received copy of 1944 document n° 551  
 and have no information on the subject of Citrus  
 Pecking Moleculs.

Like instructions should approach it  
 to answer be needed.

Last Paper.

2983

References.

(Print.)

(How disposed of.)

(Minutes.)

ER Dept. 10

Jo Mar. 5

(Action  
completed.)

JEM/8/3  
 2/12/4

(Index)

2/12/4  
 2/12/4

Next Paper.

2985

30471 F.O.P

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E 2984

4 MAR 1948

FILES.

En Clair

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 753

D. 2.4 p.m. 3rd March 1948

R. 7.18 p.m. 3rd March 1948

3rd March 1948.

Repeated to Jerusalem  
Washington Saving.

IMPORTANT.

Addressed to Foreign Office (for Colonial  
Office) telegram No. 753 of March 3rd repeated  
for information to Jerusalem and Saving to  
Washington.

Following for Martin from Fletcher-Cooke.

[Begins].

Jerusalem telegram to you No. 494 - Palestine  
citrus packing materials.

I have not (repeat not) received copy of  
your telegram to Jerusalem No. 551 and have no  
(repeat no) information about this matter. Should  
be grateful for instructions if I am to approach  
Commission.

Please pass to Jerusalem Important as my  
telegram No. 185.

[Copies sent to Colonial Office for information  
and to pass to Jerusalem].

[Copy sent to Middle East Secretariat].

V V V

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United Nations **2985**

1948 MAR 1948

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34 of March 3rd

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E 2988

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PALESTINE

4 MAR 1948

1948

Registry  
Number

TELEGRAM FROM

No.

Dated

Received  
in Registry

E2988/4/31

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3/11/48

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2/11/48 11/1/1 (E2988/4/31) Council to  
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Last Paper.

2985

References.

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 Scher. M15  
 Mar 4

(Action  
completed.)

(Index.)

Next Paper.

2989

(Minutes.)

It is satisfactory that members as well as citizens  
 are eligible for election, as this may give one or two  
 quite impartial members a seat on the largely Jewish Arab  
 Legislative Council.

D.B.

5/3

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2. Many other articles were referred to drafting committee to revise in light of Trusteeship Council's discussions. First revised texts prepared by drafting committee were circulated yesterday and we expect to have remainder today. Council will today begin second (and final) reading of the statute. Council hopes to complete final 4 reading very quickly and then after a few days interval, probably early next week.

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10 New York telegram No.750 to Foreign Office. 91

- 2 -

probably early next week to adopt a resolution approving the statute. Short interval is designed to give delegates time to telegraph to their governments for instructions in regard to any of the revised articles. Forsythe wished interval to be not less than one week. We shall continue to press for shorter period as we are most anxious that Council shall end its session by end of next week at latest. Majority of members appear to favour shorter period.

3. We propose to telegraph all substantial amendments adopted by the Council and to send the remainder Saving repeating in both cases to Jerusalem. This would enable us to raise at the resolution stage any points in regard to amendments which you or High Commissioner might feel it important we should raise. We very much hope however that this will not be necessary. There is always the risk that any amendment proposed, however slight, may throw the whole article back into the melting pot with danger of something less acceptable being adopted in its place.

Foreign Office please pass to Jerusalem as my telegram No.161.

[Advance copy sent to Martin Colonial Office  
and copy sent to telegraph Section Colonial  
Office for repetition to Jerusalem].

QQQQ

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7948

Registry Number } E 2989 / 4 / 31

**TELEGRAM FROM**

*No.*

*Dated*

*Received  
in Registry*

**Last Paper.**

2988

## References.

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Ref. New York.

8, As Above

(Action completed.)

(Index.)

Next Paper.

2990

(Minutes.)

D. Balfour  
4/3

I submit a draft. I have read paragraph 3 to Mr. Fitzmaurice, who at first sight thinks it will do.

H7Becky 4/13

Tel. 2921

Da,

573.

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PUBLIC RECORD OFFICE

rejection.

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E 2989

93

4 MAR 1948

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Cypher/OTP. WORLD ORGANISATION DISTRIBUTION.

FROM NEW YORK TO FOREIGN OFFICE.

(From United Kingdom Delegation to United Nations)

No. 756 D. 8.59 p.m. 3rd March, 1948.

3rd March, 1948. R. 2.45 a.m. 4th March, 1948.

Repeated to Jerusalem,  
Washington

IMMEDIATE.

SECRET.

GIANT.

Addressed to Foreign Office telegram No. 756 of 3rd March. repeated for information to Jerusalem and Washington.

My telegram 718. E 2705  
Palestine.

Dean Rusk of the United States Delegation indicated yesterday that his delegation had been thinking along following lines.

(1) If the Assembly's plan is not (repeat not) put into effect by the Commission with the aid of the Security Council, then the United Nations will have no (repeat no) responsibility for the Government of Palestine.

(2) The United Nations might, of course, have a responsibility under the charter in respect of the situation in Palestine if it could be shown that there was a threat to or a breach of international peace.

(3) Although the United Kingdom has made it clear that the mandate will be terminated on 15th May, nothing that has occurred while this matter has been under consideration by the various organs of the United Nations justifies any assumption that the latter have accepted any responsibility for the mandate which the United Kingdom is laying down.

(4) Rusk indicated that at some stage in the Security Council's discussions, Austin might have to make a speech to this effect emphasising that the United Nations have never accepted responsibility for the Government of Palestine after May 15th (because, as Rusk pointed out quite frankly, if the organisation had so accepted responsibility, the United States might be called upon to pay forty per cent of the cost of administering Palestine).

/2. Rusk laid some

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94  
New York (U.K. Delegation) telegram No. 756  
to F.O.

- 2 -

2. Rusk laid some stress on the fact that although His Majesty's Government have said that they propose to lay down the mandate on 15th May, they have not (repeat not) asked the United Nations or anybody else to accept responsibility for the Government of Palestine. He argued that in view of this, if the partition plan is not (repeat not) put into effect with the aid of the Security Council, the United Kingdom will be held responsible for laying down the mandate without having induced somebody else to accept responsibility for the Government of Palestine.

3. In the circumstances he enquired whether there was any likelihood of His Majesty's Government in the United Kingdom asking the Assembly if the United Nations (as an organisation) would be willing to take over responsibility for Palestine after they themselves laid down the mandate. If they were to do so, and the Assembly were to accept responsibility, then it might prove possible to work out some scheme for a United Nations trusteeship for Palestine. He implied that if Assembly were to decline to accept responsibility, United Kingdom could not be in a worse position than they were at present, since if they laid down the mandate without passing on responsibility to anyone and Palestine were involved in chaos and war, world opinion would regard them as being to blame.

4. We find it difficult to believe that United States Delegation will come forward publicly with a suggestion on these lines. From our point of view there seem to be at least two clear objections of policy to our acting as suggested, viz:

- (I) To approach Assembly as suggested would suggest that we feel some doubt as to legality of our simply laying down the mandate as is our intention. Moreover Assembly might well refuse to assume responsibility for administration and we should thus have placed ourselves unnecessarily in opposition to it;
- (II) We should also be going out of our way to traverse Arab claim (my telegram 718 paragraph 3) that proper authority to which His Majesty's Government should hand over on termination of the mandate is one composed of the people of Palestine.

5. Legal position would seem to be that the only way in which the United Nations could take over administration of Palestine would be as administering authority under a trusteeship agreement (Article 81 of the charter). His Majesty's Government as mandatory has the right, but certainly not the duty, to propose such an agreement, and if the Assembly had wanted this

/solution at its

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[Copies sent to Colonial Office for repetition  
to Jerusalem].

• • • • •



Registry  
No. E2989/4/31

~~Top Secret.~~  
Secret.  
Confidential.  
Restricted.  
Open.

HB

Draft.

U.K. Delegation,  
New York

Telegram.

No. 1000

(Date) 14.4.48

Repeat to:—

Washington 25/8

Jerusalem 11.4.3.

*Mr. Fitzmaurice  
by sent to C.O.  
for concurrence.*

~~En Clair.~~

~~Code.~~

Cypher.

Distribution:—

World Organisation

Copies to:— *with 4.3.*

*HBeeley 4/3*

*12.45 pm.*

*Commis Dept  
breach New York before 2  
F.O., 96*

**CYPHER**

~~Most Immediate.~~  
~~Secret~~  
~~Giant~~

Addressed to U.K. Delegation New York  
Tel. No. 1000 of *mark 50.*  
Repeated to Washington  
Jerusalem

Your telegram No. 756 [of 3rd March :  
Palestine].

~~I see no objection to Rusk's arguments~~  
~~as reported in sections (1) to (3) of your~~  
~~paragraph 1. Nor would I wish to object to an~~  
*I would not*  
American statement of the kind foreshadowed in  
section (4) of *your para. 1.* ~~this paragraph~~ Indeed, we  
might be more embarrassed by the contrary thesis  
that the United Nations were (repeat were)  
responsible for administering Palestine after  
our departure, because we might then be pressed  
very hard to maintain our administration until  
they were ready to replace it with theirs.

2. The suggestion reported in your para. 3  
seems to be that we should invite the United  
Nations to accept responsibility *the government of* for Palestine  
after May 15 in any event and not only if they  
decide to proceed with the Assembly's plan. I  
am in complete agreement with the arguments  
advanced against this suggestion in your para. 4,  
to which I would add the considerations mentioned  
in the last sentence of para. 1 above.

3./

NOTHING TO BE WRITTEN IN THIS MARGIN.

(23551) W.14096/147 100,000 6/47 A.S.E.W.Ltd. Gp.685

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3. Your paragraph 7. Whatever may be the surviving rights of the Principal Allied and Associated Powers who allocated the Mandates at San Remo after the first world war (and I am doubtful whether any such rights now exist), it is by no means clear that they would justify an assumption of direct responsibility for the administration of Palestine. It is still more evident that the effectively surviving membership of that Association cannot, by virtue of whatever rights they may still possess, automatically begin to administer Palestine under the trusteeship system of the United Nations. Terms of trusteeship would first have to be drafted for submission to the Trusteeship Council and subsequently for approval by the General Assembly. This proposal could have no bearing on what is to happen in Palestine immediately after the 15th May, unless the intention was that a British administration should remain in Palestine, acting as the agent of the three powers. I need hardly say that this proposal is entirely unacceptable.

112

NOTHING TO BE WRITTEN IN THIS MARGIN.

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WORLD ORGANISATION DISTRIBUTION

FROM FOREIGN OFFICE TO NEW YORK

D: 1.15 p.m. 5th March, 1948.

D: 1.15 p.m. 5th March, 1948.

Repeated to: Washington No. 2,578,  
Jerusalem.

**MOST IMMEDIATE**

**SECRET**

GIANT

Addressed to U.K. Delegation New York telegram No. 1,000  
of March 5th repeated for information to Washington and Jerusalem

Your telegram No. 756 [cf 3rd March: Palestine].

I would not wish to object to an American statement of the kind foreshadowed in Section (4) of your paragraph 1. Indeed, we might be more embarrassed by the contrary thesis that the United Nations were (repeat were) responsible for administering Palestine after our departure, because we might then be pressed very hard to maintain our administration until they were ready to replace it with theirs.

2. The suggestion reported in your paragraph 3 seems to be that we should invite the United Nations to accept responsibility for the Government of Palestine after May 15th in any event and not only if they decide to proceed with the Assembly's plan. I am in complete agreement with the arguments advanced against this suggestion in your paragraph 4, to which I would add the considerations mentioned in the last sentence of paragraph 1 above.

3. Your paragraph 7. Whatever may be the surviving rights of the Principal Allied and Associated Powers who allocated the Mandates at San Remo after the first world war (and I am doubtfull whether any such rights now exist), it is by no means clear that they would justify an assumption of direct responsibility for the administration of Palestine. It is still more evident that the effectively surviving membership of that Association cannot, by virtue of whatever rights they may still possess, automatically begin to administer Palestine under the trusteeship system of the United Nations. Terms of trusteeship would first have to be drafted for submission to

/the Trusteeship

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Foreign Office telegram No. 1,000 to New York.

- 2 -

the Trusteeship Council and subsequently for approval by the General Assembly. This proposal could have no bearing on what is to happen in Palestine immediately after the 15th May, unless the intention was that a British administration should remain in Palestine, acting as the agent of the three powers. I need hardly say that this proposal is entirely unacceptable.

[illegible]

# E

E 2990

99

4 MAR 348

1948

# MEMORANDUM

Registry  
Number

Registry  
Number } E2990/4/31

**TELEGRAM FROM**

*No.*

C.H. 1

*Dated*

New York

Received  
in Registry

761

3/11/19

4 -

# Lumpy Coconut Meringue

transmits list of proceedings of Security Council  
relative on Feb 1958 for afternoon March 2nd.  
Washington (Canada) of mid date, indicated that  
Council would support Belgian resolution. JMWZ  
(1958) letter of ordered Belgian resolution, stop of the  
disarmament of common, from article (a) and (c) of  
agreement to Political Commission, Tening (1958) supported  
Belgian on 15 March.

## Last Paper.

2989

## References.

(Minutes.)

Canadians support Belgian resolution

D. B. L. J. M.  
46

See also E 2999

H.B. 51

(Print.)

(How disposed of.)

8, Waldhansen 81  
1, Hermann Pol Hoff  
Scherr m15  
m17a  
m04  
Adachy  
am Mar 4  
n 62983/4/3/

(Action completed.)

6/3

(Ind

2/12/48

Next Paper.

289/

30471 F.O.P

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E 2390

100

En clair

WORLD ORGANISATION DISTRIBUTION  
 FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No. 761

D. 9.14 p.m. March 3rd, 1948.

March 3rd, 1948.

R. 3.15 a.m. March 4th, 1948.

Repeated to Washington and Jerusalem.

IMMEDIATEGIANT

Addressed to Foreign Office telegram No. 761 of  
 March 3rd, repeated for information to Washington and  
 Jerusalem.

Palestine.

Security Council this afternoon opened with speech by  
 McNaughton (Canada). He stressed seriousness of deteriorat-  
 ing situation in Palestine. The Council had heard charges,  
 counter-charges, expressions of defiance and threats of  
 resort to arms. Appeal in General Assembly resolution  
 calling upon inhabitants of Palestine to take such steps as  
 necessary on their part to put plan into effect, and asking  
 all Governments to refrain from action which might hamper  
 or delay carrying out of Assembly's recommendations, had  
 not had effect of bringing peace. Threats uttered during  
 General Assembly had now been carried out in acts of  
 violence. Unless situation were restored, breach of the  
 peace would result.

2. Council so far had before it United States and  
 Belgian resolutions. In Canadian view, Security Council  
 "should first satisfy itself by its own enquiries and efforts  
 that situation had indeed passed beyond possibility of  
 "pacific settlement of disputes" provided for in Chapter VI",  
 before examining position given in paragraph 1 of the United  
 States draft and possibility of procedure under Chapter VII.  
 United Kingdom delegates speech had underlined necessity  
 for some measure of co-operation between Jews and Arabs if  
 the Assembly's recommendations were to be realised, and  
 that such co-operation could not be secured by coercion.  
 For this reason five permanent members with special rights  
 and privileges in Council should make supreme effort, even  
 at this late hour, "to resolve this situation through  
 conciliation", taking General Assembly's resolution as a  
 starting point as recognised in paragraph (c) of both  
 United States and Belgian resolutions. If these efforts  
 failed, it would then be for Council to consider what action  
 should be taken in regard to questions raised in first part  
 of United States proposal. In their consultations under  
 paragraph (c) of United States and Belgian draft proposals,  
 permanent members should also consider what other measures  
 Council might take in regard to implementation of Assembly  
 resolution and maintenance of international peace and  
 security in Palestine. Canadian delegation would there-  
 fore support Belgian resolution. Events in recent months

/had underlined

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PUBLIC RECORD OFFICE

FO 371 / 68335

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101  
New York Delegation tel. No.761 to F.O.

-2-

had underlined the necessity for an agreed solution. Canadian position should not be interpreted as in any way repudiating General Assembly recommendation, but decision in that regard should be taken only after further investigation and consultation with one another and parties directly concerned, and exhaustion of possibilities of progress through conciliation committee of five should not be restricted by any prior decision of the Council.

3. Fawzi (Egypt) said in regard to Belgian amendment that he could not understand why references to Palestine Commission in sections (a) and (c) of United States resolution were not omitted as well as part 1. It was illogical to propose that Security Council should investigate facts and at same time give guidance to Commission whose purpose was implementation of General Assembly plan. Thus, Belgian resolution should be "streamlined" by omission from sections (a) and (c) of reference to Palestine Commission.

4. There was a growing sense of grave responsibility in Council's debates which underlined need for thorough investigation before decisions were reached. No one had suggested that the Council should simply apply rubber stamp to General Assembly resolution.

5. Chairman (Tsiang), speaking on behalf of Chinese Delegation, said that he supported Belgian amendment. Both Belgian and United States resolutions envisaged a committee of five permanent members. His Delegation considered this question of machinery of secondary importance and were prepared to participate if Council should agree on a committee.

6. Personally, he would prefer a committee differently constituted, especially as United Kingdom delegate had said he could not participate. Committee should therefore not necessarily consist of Big Five.

7. Statement by Canadian representative was eminently reasonable. Chinese delegation agreed that a supreme effort towards conciliation should be made by the Council, and that any committee formed could make a greater contribution if it started work without having been committed as in paragraph 1 of United States resolution by binding or precise instructions. Imposition of the General Assembly plan by force seemed unreal in present situation.

8. Faris Bey (Syria) then asked that proceedings should be postponed in order to give Lebanese delegate (Chamoun), now in hospital with heart attack, opportunity to speak. There being no other speakers, chairman adjourned meeting until 10.30 a.m. on Friday 5th.

Foreign Office please repeat Important to Jerusalem as my telegram No. 167.

[Copy sent to Colonial Office for repetition to Jerusalem]

SSSSS

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E

E 2991

102

1948

4 MAR 1948

Registry Number E2991/4/71

TELEGRAM FROM

No.

11 K 101

Dated

New York

Received in Registry

762

3/11/48

4

Statute for Jerusalem  
 After ten days of 750 (E2988/4/71) Council.  
 Today began second reading. Fikri was invited  
 by President to State his views on second article  
 prepared by drafting committee.  
 Fikri made his comments.

Last Paper.

2990

(Minutes.)

References.

(Print.)

(How disposed of.)

8 Mackusson 60  
 Sherman 60  
 Schenck 411

N17a

N104

Polansky

AM

Mar 4

(Action completed.)

9/11/48  
 9/11/48

(Index.)

9/11/48  
 9/11/48

Next Paper.

2992

30471 F.O.P

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E 2991

(From United Kingdom Delegation to United Nations)

D. 9.07 pm. 3rd March, 1948. 348  
R. 3.00 am. 4th March, 1948.

Repeated to Jerusalem  
Washington saving.

BUILD

Our telegram No. 750. Statute for Jerusalem.

(a) Period of residential qualification in Article 9 should be reduced to 2 years.

2. There was no further discussion of Article 9 in the Council, which confirmed its previous decision for three years period. Article 20 will be reached tomorrow morning.

3. Principle amendments made to Articles 1 to 19 follow in our immediately following telegram.

/4.

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New York telegram No. 782 to F.O.

-2-

4. President hopes to complete consideration of drafting groups amendments tomorrow and to have final reading of Statute on Monday. We presume this will be purely formal.

Foreign Office please pass immediate to Colonial Office and repeat to Jerusalem as my telegram No. 168.

[Copy sent to Colonial Office for repetition to Jerusalem].

ppp

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E

E 2992

105

4 MAR 1948

Registry  
Number

TELEGRAM FROM

No.

Dated

Received  
in Registry

E 2992/4/31

UK 1801

New York.

763

7 Mar

4 -

*St. Luke per Jerusalem.*  
*Refer New York 6/762 (E 2992/4/31)*  
*transmit list of premises amendments*  
*accepted by Trusteeship Council today.*

Last Paper.

2991

References.

(Print.)

(How disposed of.)

*W. Matheran 81*  
*Herman Bob Off*  
*P. Kern 1115*  
*Adamsky*  
*AM*  
*1116*  
*1104*

Mar 3

(Action  
completed.)

(Index.)

Next Paper.

2999

30471 F.O.P.

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FO 371 / 68535

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FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No. 763

D. 9.42 p.m. 3rd March, 1948.  
R. 3.00 a.m. 4th March, 1948.

3rd March, 1948.

Repeated to Jerusalem Saving  
Washington Saving

E 2992

4 MAR 1948

IMMEDIATE

BUILD

Addressed Foreign Office telegram No. 763 3rd March repeated for information to Jerusalem and Washington Saving.

My immediately preceding telegram.

Statute for Jerusalem.

Following are principal amendments adopted by Trusteeship Council to-day.

2. Article 4. Paragraph 2 of Article 15 now combined in paragraph 2 of Article 4.

3. Article 5. Paragraphs 3 and 4 transferred to new Article 14(A).

4. Article 7. Deleted.

5. Article 10. Article now reads

"1. Every resident of the city at the date of the coming into force of this Statute shall become ipso facto a citizen of the city: provided that

(a) every Arab or Jew who desired to become a citizen of the Arab state or Jewish state respectively may give notice of such desire in such manner and within such period as the Governor shall by order prescribe after the coming into force of this Statute or the setting up of the Arab state or the Jewish state respectively aforesaid whichever event is the later and thereupon he shall cease to be a citizen of the city

(b) every person so becoming a citizen of the city who desires to retain the citizenship of any state of which he is a citizen may give notice of such desire in such manner and within such period as the Governor shall by order prescribe and thereupon he shall cease to be a citizen of the city with effect on and from the date of the coming into force of this Statute

(c) unless a wife gives notice on her own behalf within the period prescribed by order of the Governor she shall be bound by the decision of her husband in either submitting or not

/submitting notice

4 MAR 1948

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U.K. Del. New York telegram No. 763 to  
Foreign Office

107  
END

- 2 -

submitting notice as prescribed by paragraph 1  
of this Article

(d) for the purposes of this paragraph of  
this Article the status of a minor shall be  
governed by that of the legal guardian of the  
minor.

2. Subject to the provisions of paragraph 1  
the conditions for the acquisition of citizenship of  
the city by persons who become residents after the  
date of the coming into force of this Statute and  
for the loss of citizenship of the city shall be  
laid down by legislation of the city."

6. Further provision to be added to sub paragraph (d)  
of Article 10(1) enabling minor on attaining majority to  
exercise option notwithstanding previous notice given by  
guardian.

7. New Article 14(A). Consists of paragraphs 3  
and 4 of Article 5 with deletion of "to fullest extent  
possible" and "habitual".

8. Article 16.

(a) Add to paragraph 2 "subject to any instruc-  
tions of the Trusteeship Council and to any legis-  
lation of the city the appointment of members of the  
administrative staff of the city may be terminated by  
the Governor at any time"

(b) Paragraph 3 to read "There shall be a  
Council of Administration consisting of the chief  
secretary and such other principal officers as the  
Governor may appoint. The Governor may also if  
he considers it desirable add to the Council other  
persons of his choice. The Council of Administration  
shall advise and assist the Governor in the adminis-  
tration of the city."

9. Slight verbal amendments to other Articles which  
do not materially alter their sense follow Saving.

Foreign Office please pass Immediate to Colonial Office  
and repeat to Jerusalem as my telegram No. 169.

[Copy sent to Colonial Office for repetition to  
Jerusalem.]

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